Law Enforcement News

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Police vs. pit bulls, Going after a family fortune: for drug dealers

with Petey, the lovable dog with a big, dark circle around one eye from the old "Our Gang" comedies, few realized that Petey was in fact a pit bull - a breed of dog which, regardless of Petey's exemplary behavior, has become notorious of late for mauling police and citizens, including children, with little provocation.

Weighing between 20 and 90 pounds, the American Staffordshire Terrier, or pit bull, is considered to have the strongest jaws of any breed of dog. It can exert an estimated 1,800 pounds of pressure per cubic inch when it bites and, unlike other dogs, it will lock its jaws to continuing biting after its opponent has withdrawn.

For more than a century, the pit bull has been bred to fight its own kind in illegal dogfighting rings. In the process, the dogs are often mistreated and subjected to extreme pain and aggression.

Because aggressive character traits are trained and bred into the dog, some animal experts contend that it is unfit for police or any other security work. The training received by other aggressive dogs receive, such as German shepherds or Rott. weilers, would make the pit bull uncontrollable.

Criminals' 'Dog of Choice'

Despite a flurry of violence including seven deaths - caused by pit bulls in recent months, the dog's sullen aggressiveness and seemingly limitless ferocity have made the breed a favorite of some criminals - especially drug dealers - who have been using pit bulls to guard narcotic stockpiles and ward off intruders, including the police.

And despite the apparent frequency of pit bulls attacking police officers and the public, police are quick to point out that the viciousness of a pit bull is not innate and that an encounter with a hostile doberman pinscher or mastiff could be equally

"Drug dealers use all types of dogs, any type that's aggressive," said Lieut. William Pearce of the New York City Police Department's K-9 unit, "If there were no more pit bulls, they would go to the next hardest hreed of dog."

Besides having almost twice the jaw power of a Doberman, the pit bull is also a "tenacious" dog,

said New York Insp. Raymond Abruzzi, who heads the police department's Emergency Services Unit (ESU). "They're fighters as are the whole bull breed," he said.

ESU is the division that usually handles dogs, whether dangerous strays or watchdogs in a drug dealer's apartment. "A lot of times we are in places that people don't want us to be," said

Pit bulls, he said, are "a natural" as watchdogs. "Many people - and I know this from experience - in the lower-income areas where the burglaries are the highest are buying pit bulls as the dog of choice. Just as Akitas became the dog of choice for the Yuppies, I think the pit bull has become the dog of choice for the more vulnerable.

Robbery at 'Pit Bull-Point'

The recent media coverage of pit bull attacks has only served to encourage criminals to invest in the animals, according to Police Officer Dennis Packer of the Los Angeles Police Department narcotics unit. "There has been more and more prominence and attention given to pit bulls," he said. The bad guys, they want to get a dog that looks mean. Where did you ever hear about a Collie attacking somebody?"

In one recent case in New York, police reported that a young man vas robbed at "pit bull-point." While in a city park, he was set upon by two toughs and one pit bull, and was forced to hand over his wallet, his shoes and his pants. The robbers then unleashed the pit bull to shred the victim's legs and knees.

Packer says that it would be misleading to say that narcotics dealers primarily use pit bulls for protection. "It would be like saying all drug users wear Reeboks," he said. "I'm sure some of them wear Nike or Adidas sneakers. I myself almost jumped from a twostory building because of a Doberman that was charging me from down a hallway. We've always had a problem with police officers and dogs at people's residences.

The LAPD recently instituted a series of roll-call briefings on the control of aggressive dogs. Because police officers deal with animals on a regular basis, "sooner of later they're going to get bit," noted Officer Ted Ber-

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the dog of choice RICO civil suit targets Mafia

Racketeer Influenced and Corrupt Organizations (RICO) Act has been used with considerable success to criminally prosecute the leaders of organized crime. It. will be in the next several months. however, that the real weight of RICO is brought to bear on the mob, as Federal prosecutors for the first time ever use the statute as a basis for a civil racketeering suit against members of the

The object of the suit is nothing less than the seizure of the assets of an entire mob family.

The target for the latest application of RICO is the Bonnano organized-crime family. Said to be the smallest of New York's five major Mafia families, it was chosen for several reasons, according to Ronald Goldstock, executive director of the New York State Organized Crime Task

"It is a very weak family," Goldstock told Law Enforcement News, "and the FBI had an undercover officer within the family for a period of time. They had a great deal of information about it, including wiretaps.'

Moreover, the family has undergone a recent change in leadership, Goldstock said, and is small enough, with some 90 inducted members and many associates, that prosecutors could handle it with relative ease.

196 Crimes Cited

The Bonanno family is the first organized-crime family to face a civil action under the RICO statute, which was approved by Congress in 1970. If the effort is successful, the family would be restrained from "making" any new members and members would be prohibited from associating with each other for any business purposes - legal or illegal — under penalty of imprisonment for contempt of court.

A list of 196 criminal acts attributed to the Bonnano family, including narcotics trafficking. loan-sharking, lahor rackateering and attempted murder, was filed as a basis for the civil complaint brought in Federal District Court in Brooklyn last month.

According to Andrew J Maloney, the U.S. Attorney for the Eastern District of New York, the Government intends to destroy the "economic foundation" of the family by attacking its finanical holdings and activities. "We're taking this course to get at remedies we couldn't get through indictments," he said.

If the case is successful,

have a direct impact on an organized-crime family by depriving it of some of its assets and enjoining its activities, but more significantly it will be a further exploration of the RICO statute, which "holds within it a wide variety of means for controlling organized-crime groups and ac-

Although the RICO statute has been available to prosecutors for the better part of two decades, it is the law's criminal provisions that have gotten the most play. According to Goldstock, it is only in the last few years that RICO's civil provisions have heen used "in any sort of interesting way" to seize assets and place unions under trusteeships.

More Imaginative RICO Use

'To control organized crime and ultimately to make industries more resistant to organized crime infiltration is going to require a much more imaginative use of RICO," Goldstock said.

The civil suit against the Bonnano operation, which describes the family as "one of the most influential and violent crime families" in the country, names 16 individual defendants, including the imprisoned Philip

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Rice to call it quits in Chicago Nov. 1; three deputies seen as likely successors

Although rumors of retirement have swirled around Chicago Police Superintendent Fred Rice since this past spring [see LEN. May 12, 1987], the hunt for his successor is now officially on, with the city's top cop announcing recently that he will step down on Nov. 1 after 32 years on the job.

"I've thoroughly enjoyed every year I spent with the department, and 1 never once regretted deciding to enter the lawenforcement profession," said the 60-year-old Rice.

The city's first black police chief. Rice was appointed by Mayor Harold Washington in 1983 after serving in several top command posts. Many hailed the appointment as one of the Mayor's sharpest personnel moves. Said Ernest G. Barefield, Washington's chief of staff: "It will be hard to find someone who has the qualities of Superinten-

Washington tapped Rice for the



Superintendent Rice

post when the nine-member Police Board of Commissioners recommended him for the job along with Rudolph Nimocks and Matt Rodriguez - both now deputy superintendents. Although a nationwide search is said to be planned to fill Rice's shoes. Barefield said it is unlikely that an outsider would capture the \$92,000-a-year post.

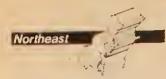
Both Nimocks and Rodriguez are again seen as prime contenders for the position, as is the department's command, First Deputy Superintendent John Jemilo, who heads the Operational Services Bureau.

Columnist Art Petacque of the Chicago Sun-Times, who first reported Rice's retirement plans several months ago, said the three candidates give Mayor Washington an excellent line-up of experienced police executives to choose from, but present him with a delicate political decision to make, since the candidates are black. Hispanic and white.

The 57-year-old Jemilo, Petacque said, is well educated and sensitive to minority issues. Nimocks, 58, who heads the Bureau of Administrative Services, is considered a good street cop. The only potential problem

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Around the Nation



Southeast

DISTRICT OF COLUMBIA -The Criminal Justice Services division of the American Association of Retired Persons has begun offering six of its most popular "how to" crime prevention brochures in Spanish to better address the needs of Hispanic communities. Copies of the brochures are available from AARP Criminal Justice Services, Program Department, Code SCP, 1909 K Street N.W., Washington, DC 20049.

MAINE - The state has reached tentative agreement in contract talks with the State Troopers Association. The pact still requires approval from the association's 300 officers.

MARYLAND - The new police chief of Howard County said his department will soon create a drug enforcement team to crack down on street sales and a plainclothes unit for stakeouts and surveillance of suspects. Chief Frederick W. Chaney, a former Montgomery County police major who took over as chief in Howard County on August 3, also plans to expand the role of patrol officers, including having them spend more time on the streets.

Officials of the state's 911 emergency communications system plan a campaign to educate residents about possible problems in trying to reach the system using cordless telephones. Low batteries and weak signals from the cordless units were said to be among the possible causes of the problem.

NEW YORK - Attorney General Robert Abrams has filed suit to dissolve the Sullivan County Society for the Prevention of Cruelty to Children, charging that the group is a "sham" whose only purpose is to make it easy for members to carry guns. Agents of the private child-protection societies have peace-officer status, allowing them to carry firearms without undergoing the normal permit process. However, under a new state law, effective Nov. 1, members of such groups must obtain appropriate handgun licenses before they may be

Stephen P. Scaring, a prominent defense lawyer and former assistant district attorney, has been named as special prosecutor in charge of investigating allegations of police corruption in Suffolk County. He succeeds Harvey A. Arnoff, who was dismissed in late August following clashes with a state panel that is conducting its own probe of county police operations.

FLORIDA - The Holmes County Sheriff's Department and Sheriff Thomas F. Strickland have been named as defendants in a civil suit filed by the U.S. Department of Justice, which alleges that the sheriff's agency discriminated against a black deputy who was disciplined and later fired. The suit is an outgrowth of racial discrimination charges filed by former deputy Jimmy Ross Jackson with the U.S. Equal Employment Opportunity Commission.

GEORGIA - The Loganville City Council has hired six new police officers and named Capt. Eddie Sharp of the Monroe Police Department as Loganville's new chief. The town's entire police force quit to protest the firing of Chief Russell Pirtle in July.

MISSISSIPPI - A Federal grand jury last month indicted Lee County Sheriff Roy Sandefer on charges of extortion, filing false tax returns and running two illegal gambling operations. Sandefer, who is in his first fouryear term as sheriff, faces a possible 71 years in prison and fines of up to \$1.7 million if convicted.

VIRGINIA - Alexandria Police Chief Charles Strobel has been placed on leave until his Dec. 1 retirement. The move was sparked by an investigation of the police department's narcotics section, which started after an officer was accused of tipping off suspects before drug raids. Deputy Chief Arlan Justice has been named acting police chief.

Key Virginia legislators indicated recently that any attempts to toughen the state's handgun control laws will probably be dead on arrival in the General Assembly's 1988 session, The State Crime Commission has been studying proposals for stricter gun laws since June, following passage of a law barring localities from adopting gun control ordinances unless specifically authorized by the Assembly.



ILLINOIS - The Chicago Police Department recently debuted its first 44 auxiliary police aides unpaid volunteers who work at least 16 hours a month. The department hopes eventually to recruit 1,500 police aides to assist in crowd and traffic control, abandoned-vehicle searches and clerical duties.

Sheriff George Zimmerman need not comply with the union contract for members of his department because it is invalid, according to an opinion issued by the Indiana Attorney General's office. The department's 16 jail and road officers were organized last year by the Retail, Wholesale and Department Store Union, and in recent weeks they have conducted informational picket lines protesting Zimmerman's refusal to comply with some contract terms, primarily regarding seniority rights. Zimmerman contends that state law gives him the right to operate his agency as he sees fit.

KENTUCKY - The State Council on Child Abuse will soon begin the state's first rural outreach program, in an effort to increase reporting of sexual abuse in lowincome areas of the mountainous eastern part of the state.

MICHIGAN - Detroit police officers have begun seeking \$1 million in donations to buy 5,000 bulletproof vests. The fund campaign was kicked off with a contribution from the J. Walter Thompson advertising agency. which furnished four publicservice TV commercials and print ads for the drive.

Oakland County Prosecutor L. Brooks Patterson has demanded that Royal Oak Township immediately disband its police department because officers have taken bribes, stockniled guns, and stolen drugs and cash held as evidence. Patterson said he would seek a court order disbanding the 17-member department if the township refuses to abolish it and replace it with patrols from the Oakland County Sheriff's Depart-

Beginning this fall, the state will conduct a five-county pilot study of allowing cameras and tape recorders in courtrooms. All state courts are to be opened to electronic equipment next year.

WISCONSIN - A state appeals court has ruled that Eau Claire may not consolidate police and fire duties in a combined public safety officer position. Fire and police unions had challenged the city's 1984 plan.



IOWA - Des Moines police officials say Officer Rick Host did not violate policy by issuing traffic tickets in a hospital emergency to Lisa Ann Brugioni, 17, who died four hours later. Host cited her for losing control of a vehicle and not wearing a seat belt when her car hit a utility pole.

MINNESOTA - Police officers in Minneapolis have killed more INDIANA - Fayette County people so far this year than in any

year since 1979, when there were record four shootings by police. Through August, police had shot three people, a total that Police Chief Anthony V. Bouza called troubling but justifiable. He said the level of shootings is due to the fact that "it is clearly becoming more dangerous and violent out

The state's workplace drugtesting law took effect on Sept. 1. The law permits employers to test workers for drug use, and protects workers against abusive action if the test results are positive.

A West St. Paul man who led police on a high-speed chase and then claimed he was attacked with a stun gun while being apprehended received a \$27,000 settlement from the St. Paul officer in Federal court last month. The officer maintained through an attorney that the plaintiff resisted arrest, making it necessary to use the stun gun four times to subdue

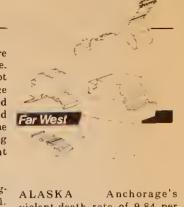
NEBRASKA - The state's Missing Child Act, approved by the 1987 Legislature, took effect on Sept. 1. Under the new statute, law enforcement agencies must forward data to the state as soon as missing-child reports are



COLORADO - Serious crime in Denver is running 18.3 percent below last year, according to police statistics. The reduction in crime during the first eight months of this year was attributed by a police spokesman to cooperative efforts by police officers and investigators and the increased willingness of citizens to report suspicious activity.

NEW MEXICO - Officials of San Miguel County bave begun meeting with representatives from the Corrections Corporation of America to discuss plans for a privately run detention center to replace the county lockup that was condemned in 1983. The corrections firm operates the Santa Fe County Jail, which has been housing San Miguel prisoners at a cost of \$20,000 per month.

TEXAS - The number of major crimes reported in Houston for the first half of 1987 decreased by 0.3 percent compared to the same period in 1986, according to police statistics. Violent crime dropped by 11.5 percent, led by a 27-6percent reduction in reported rapes and a 26.2-percent drop in murders. The only major crime category to show an increase was theft, which was up by 8.1 percent compared to last year.



violent-death rate of 9.84 per 1,000 is 13 percent above the national average, officials said recently. They cited a youthful population that is more prone to violence and drupken driving.

CALIFORNIA - A Federal investigation concluded recently that the Bakersfield Police Department discriminates against women and that an atmosphere of "racial animosity" exists in the Kern County Sheriff's Department. The study by a Treasury Department investigator was prompted by complaints from black sheriff's deputies.

The mayor, fire chief and only police detective in the small coastal hamlet of Crescent City were indicted last month in connection with an unusual dock fire and a subsequent coverup. Det. Virginia Anthony and her codefendants face felony charges ranging from arson to perjury and obstruction of justice.

HAWAII - More than 200 inmates at the Halawa Medium Security Facility have been moved into the new \$73-million Oahu Community Correctional Center, in an effort to relieve overcrowding at the Halawa prison.

OREGON - The state will receive \$494,000 this year under the Justice Assistance Act of 1984 to finance projects that target violent crimes and serious offenders.

WASHINGTON - Alvin L. Hegge and Billy C. McEwen, accused of masterminding a robbery that led to the 1983 shooting death of Spokane police detective Brian Orchard, were formally charged last month with seconddegree murder in the officer's death. Hegge, a former president of the Ghost Riders Motorcycle Club, is already serving a sentence of life plus 20 years in Wisconsin for his role in a 1983 murder there.

Shoot off steam:

It happens every issue in the Forum section of Law Enforcement News.

Turn to Page 8 of this issue for a provocative view of the National Rifle Association and gun control.

Fla. may OK open weapons to fight ban on use

An inadvertent wrinkle in Florida's recently-revised gun control laws have prosecutors and law enforcement officials fearful of weapons that could be openly displayed in public places beginning Oct. 1 if the problem is not addressed at an upcoming special session of the Legislature.

Last May, Gov. Bob Martinez signed into law two bills, one that gave the state sole power to issue permits for concealed weapons and another that unified handgun ownership policies. Previously, handgun-possession policies were enforced through local ordinances while county governments had the power to issue concealed-weapon permits.

One of the laws that was repealed by the new statutes was "manual possession," the only law prohibiting citizens from carrying guns openly, according to Police Chief Joe Gerwin of Fort Lauderdale. "The net effect of that," he said, "is that come Oct. 1, anybody, without any qualifications, could strap on a six shooter, stick a gun in his belt as long as it was partially visible and there was no law against that."

Abolished in Haste

The manual possession statute was repealed, Gerwin speculated, because it involved licensing and instead of amending the law, he said, the Legislature simply abolished it "in its haste" to unify the state's ownership policy.

As of Oct. 1, the state will require those with no criminal record who want to own a handgun to pass a gun safety course, pay a \$125 fee and state a need for carrying a weapon.

Still on the books, however, is the reckless display law, which makes it a crime for anyone in possession of a firearm to display it in a reckless or dangerous man-

ner. "That wouldn't prohibit anyone from carrying one," Gerwin said.

In the view of Deputy Attorney General Jim York, a former Orlando police chief, there are two major areas of concern caused by the legal loophole. Without any restriction on the public display of firearms that are not prohibited by Federal or state law, they could be carried legally into such places as airports, city halls or courthouses. Moreover, the law has now preempted any local regulations regarding the issuance of permits for carrying a concealed weapon.

While that is what legislators intended the law to do, York said, the consequence has been that while there are criteria under which a permit will not be issued, such as a conviction for certain types of felonies, people who would otherwise be barred from carrying concealed weapons could now carry them openly.

Both York and Chief Gerwin are confident that the issue will be addressed at the special legislative session called for Sept. 21 through 23. While Governor Martinez has not yet put the item on the agenda, York said his language suggested it would be taken up.

Sportsmen Back New Law

Remaining staunchly in favor of the new laws, with all their seeming inconsistencies, however, is the Unified Sportsmen of Florida, a firearms advocacy group which originally supported the revisions.

Marion Hammer, the group's executive director, maintains that there is no inadvertent loophole. "The attorney general and law enforcement officers have been misled and are uninformed about what we did, what the law is

and what it was." she said.

The manual possession law, said Hammer, was an "archaic, obsolete statute" that was tagged on to the concealed weapons licensing bill but had nothing to do with a concealed weapon license. "When you are accomplishing legislative remedies," she said, "it is not uncommon that you rework major sections of the law and routinely repeal certain sections in the process."

She asserted that the law, which dates from 1893, concerned only pistols and Winchester repeating rifles and was enacted for the sole purpose of disarming blacks. "It was a racist statute that we merely removed," she said.

The reaction of law enforcement officials to the apparent flaw in the statute is a "little bit of emotional hysterics born out of ignorance of what the law was and what really happened," Hammer said.

Preparing for a 'Predicament'

In the meantime, Chief Gerwin said his department is preparing policy guidelines for its officers. "If [the law] is not changed it is going to put police officers in a real predicament when they arrive on the scene and someone is standing there carrying a gun openly."

Gerwin said he and his staff hope to draft policy that will protect police and comply with the law. "It might become a thin line between how legally we handle it. My number one priority is the safety of the officers and citizens. If we take a gun away from somebody who's wearing one and say they can pick it up the next day at the station, we may do that. I'm not even sure it's legal but it's a matter of just common sense."

Phila. police brass to fight ban on use of polygraph tests

The City of Philadelphia has filed an appeal in hopes of over-turning a Federal court ruling which bars the Police Department from rejecting applicants to the police academy who have failed a polygraph test.

U.S. District Judge Charles Weiner, acting on a class-action suit brought by the American Civil Liberties Union, ruled that the polygraph is too unreliable a device to use as a basis for denying the admission of qualified applicants.

Police Commissioner Kevin M. Tucker, however, called the ruling "devastating" to the department. He has also called for a stay of the lower court's ruling so that police can continue using lie detectors until the appeal is heard.

Prior to the ruling, all applicants to the Police and Corrections Departments were required to undergo polygraph tests to determine whether they had used or sold drugs and whether they had a criminal background.

Tucker said the polygraph is needed to cull the acceptable applicants. Department records, he said, show that about 30 percent

of all applicants admitting to selling or using drugs once they have been told they will be given a polygraph or have failed one. One plaintiff in the suit, Tucker said, admitted to having sold six pounds of marijuana and a quarter-pound of hashish, in addition to other drugs.

Stefan Presser, the ACLU's cocounsel in the case, said that the use of a polygraph may occasionally frighten someone into confessing, but more often than not the device makes people appear to be lying when they are telling the truth.

Presser charged that Tucker has shown "utter determination" in using the polygraph, which, he said, is "tantamount to witchcraft in deciding whether someone is telling the truth."

Michael Lutz, vice president of the Philadelphia lodge of the Fraternal Order of Police, conceded that the polygraph has a place in police work, but maintained that it "should not be used as the sole means of having a guy terminated from his job before he's even started"

NYC police & fire in emergency-service dispute

The yellows and reds of a typical New York autumn are this year the glow of flames from a highly charged turf battle hetween the city's police and fire services, following news of a proposal to shift nearly all emergency rescue responsibilities to the Fire Department.

While police have been in charge of emergency scenes for the past 40 years, the two public safety agencies often work jointly on disasters and rescue operations. That spirit of cooperation has apparently broken down, however, with confrontations—sometimes physical—between police and firefighters at some of the 277 emergencies so far this

Tensions rose to a head following the leak by police officials of a confidential memo from Deputy Mayor Stanley Brezenoff to Police Commissioner Benjamin Ward, which contained the preliminary findings of a mayoral task force looking into revised rules for emergency response.

The task force found that although police had traditionally been the primary agency in disaster response, the Fire Department was better able to get the necessary resources to the scene in the shortest period of time.

Bombs Still a Police Job

As outlined by Brezenoff's memo, the Fire Department would become the primary responder to all building collapses, flammable leaks and spills, hazardous material cases and motor vehicle accidents. Police would have sole respon-

sibility in the case of bomb threats. If the bomb exploded, however, firefighters would step in.

In an angry response to the proposal, Patrolman's Benevolent Association president Philip Caruso said the proposed shift is an effort to give more responsibility to a "severely underutilized" Fire Department — a motivation be called "ludicrous."

Currently, the Fire Department is fighting fewer fires than at any other time in recent history. According to statistics from the Mayor's office, the total number of fires in the city dropped from 31,421 for the first four-months in 1986 to 30,379 for the same period this year — a 3-percent decrease that continues a 10-year trend.

Insp. Raymond Abruzzi, head of the NYPD's Emergency Services Unit, which handles the city's disasters and emergencies, also pointed to Fire Department claims of inability to handle its fire inspection responsibilities due to understaffing. "How can they then come out and call for more responsibilities?" he asked.

"Somebody is apparently very afraid of cutbacks and so what do they start doing? They start looking in other people's turfs." Abruzzi said it costs almost five times more per year to run a fire engine than it does to run a two-man radio-emergency patrol car. "There is something wrong with the efficiency," he observed.

At press time, Mayor Ed Koch promised to come up with a compromise plan for emergency response by the beginning of October.

Federal File

* Bureau of Justice Statistics

The number of inmates in state and Federal prisons grew by nearly 5 percent during the first half of 1987, reaching a new record of 570,519 prisoners. According to the Bureau, the number of inmates added during that six-month period means a continuing space of some 1,000 new prison beds per week. Prison populations ranged from a low of 441 inmates in North Dakota to a high of 64,737 in California. Federal institutions accounted for 47,653 inmates as of June 30.

* Bureau of Justice Assistance

BJA has contracted with the Institute for Law and Justice Inc., of Alexandria, Va., to manage a \$1.5-million nationwide narcotics control program that will provide training and technical assistance to state and local drug enforcement programs. The contract was let under the terms of the Anti-Drug Abuse Act of 1986, which authorizes the disbursal of funds for programs that improve the apprehension, prosecution, adjudication, detention and rehabilitation of drug offenders.



* United States Parole Commission

The U.S. Parole Commission last month won reaccreditation from the American Correctional Association. The commission, which achieved compliance with 116 of 123 applicable standards promulgated by the ACA, is one of only six parole boards in the United States to be accredited.

* National Institute of Justice

An NIJ study suggests that screening defendants to determine their ability to pay for a lawyer and requiring some to pay all or part of their defense costs could reduce the financial burden on courts. According to NIJ director James K. Stewart, indigent defense expenditures more than tripled between 1976 and 1982, from about \$200 million to over \$600 million.

* Department of Justice

The Justice Department's antitrust division will join the war on organized crime by prosecuting mobsters for bid-rigging and price-fixing, according to a top DoJ official. Criminal violations of the antitrust laws can carry three-year prison terms plus \$1 million in fines.

People and Places

Life after death

Although tragically killed in the line of duty this past July, Inkster, Mich., Police Officer Daniel Dubiel left the gift of life to his friend and fellow officer, Stephen Boriach.

Borisch and his wife, Cindy, badly wanted a child but did not want to risk passing along a gene for muscular dyatrophy, a hereditary disease common in Cindy's family. Dubiel, a good friend who had worked with Borisch since 1974, suggested that his wife, Laura, bear a child for the Borisches as a surrogate.

Dubiel himself had four children, ages 2, 4, 10 and 14. "He loved hia kids and he wanted us to have the same happiness they had," said Borisch. "He was a close friend.

Laura Dubiel, who readily agreed to her husband's suggestion last year, was artifically inseminated with Borisch's sperm. The legalities of the arrangement were handled this past April by attorney Noel Keane, a specialist in surrogate parenthood who had handled the celebrated "Baby M" case in New Jersey.

The happiness of the surrogate birth is clouded, however, by the fact that Dubiel will not be on hand to share in the Borisches' happiness. On July 9, he and two other Inkster officers, Clay Hoover and Sgt. Ira Parker, were gunned down at a motel where they had gone to pick up a woman due for arraignment on check fraud charges [see LEN, Sept. 8, 19871.

Borisch said he intends to be in the delivery room with Laura when she delivers later this month. She is not getting paid for her role as surrogate, said Borisch. "She's doing this out of

Inkster Police Chief Jamea L. Buckley added that the incident serves to illustrate the closeness of the department. The baby, he said, is Dubiel's "parting gift."

Good job, no pay

Page 4

Multnomab County, Ore., officials believe that in Donald E. Clark they have found the right man for the job of redefining the role of the county's Department of Justice Services.

Clark, a former Multnomah Reel-life County Executive and Sheriff, is now executive director of Central City Concerns, a non-profit social services agency that manages a number of hotels in the county for low-income persona and operates an alcohol detoxification center.

A mainstay in county government since elected sheriff in 1962, Clark also served as county commissioner and county board chairman over the years. He began his new assignment Sept. 1 but will draw no salary from the county, according to Gladya McCoy, chairwoman of the County Board of Commissioners. Clark will remain on the payroll of Central City Concerns.

McCoy, who called Clark one of the most knowledgeable people in the county when it comes to corrections and human services, said he is uniquely suited to the position of helping to formulate a new countywide policy on corrections and public safety.

Clark said he plans to speak extensively with Sheriff Fred B. Pearce and District Attorney Michael D. Schrunk in an attempt to form a consensus among the independently elected officials and the county commissioners.

Crime's baby boom

All children are mischievous. but some toddlers in Waterloo, lowa are downright criminal.

Waterloo police recently arrested a seven-year-old burglar and two accomplices, age 3 and 4. The trio allegedly broke into a day-care center and stole three tricycles. According to police, the tots then rode the bikes several blocks to a youth club where they tossed a brick threw the window and entered the building.

A charge of delinquency by burglary against the young ring leader was dismissed by Black Hawk County Attorney James Metcalf. The two accomplices were not charged.

Similarly, an lowa state trooper issued a citation to a six-year-old boy who was not wearing a seat belt in a car driven by his father.

After dismissing the citation, Metcalf declared he would not prosecute any more young children and instructed police to stop arresting them. Law enforcement, he said, has more important

What They Are Saying

"The bad guys want a dog that looks mean. Where did you ever hear about a Collie attacking somebody?"

Officer Dennis Packer of the Los Angeles Police Department, on the criminals' growing propensity for acquiring pit bull terriers. (1:2)

FBI agent

real FBI agent, but his role as Inspector Lewis Erskine on the old television series, "The FB1" gave the actor enough credibility and authenticity to make him a keynote speaker at the recent conference of the Institute for Financial Crime Prevention.

In addition to giving the opening speech at the conference, held in August in Arlington, Va., Zimbalist narrated a number of the institute's anti-crime films, such as Embezzlement: The Thieves Within." The anti-crime films are strictly nuts-and-bolts, without the Hollywood patina of some of Zimbalist's TV roles, including the old "77 Sunset Strip," "The Love Boat" and "Remington

Zimbalist was joined at the conference by some of the country's leading real-life crime experts such as former U.S. Attorney General Griffin Bell and Oliver (Buck) Revell, the FBI's executive assistant director.

Although "The FBI" ran from 1965 to 1974, Zimbalist's portrayal of Erskine was much in keeping with today's agent cool and cerebral. The actor noted, however, that modern agents push a lot more paper than the characters on the television show. "An agent was never supposed to be at his desk," he said.

Zimbalist, whose acting career began in the late 1940's, is working on a pilot for a series with a 'light-hearted" law enforcement slant.

Animalistic behavior

Police in Middletown, Ohio, know fowl play when they see it, and the recent violent deaths of 129 ducks at the Smith Park Pond has provided a graphic textbook example.

According to Humane Officer Jim Agee, the birds were poisoned, beaten with rocks and sticks, shot with pellet guns and had their heads wrung off.

You try to figure out who in the world is sick enough or bad off enough to do the things I found done to ducks," Agee said.

In addition to being heartsick over the fate of the waterfowl, Agee is also angry that citizens have shown such little initiative in helping capture the vandals. Police have not been able to take names or license plates, he said. 'And it's not all teen-agers. We've had reports of people in their 30's involved.

Those who have reported offenses, said Agee, have been afraid to go to court. He added that if the vandals are caught they would be charged with cruelty to animals and punished to the

fullest extent of the law.

The three-acre pond in the heart of Middletown was home to some 200 ducks earlier this spring. Over the years, the flock has been increased by donated ducklings bought at Easter and wild geese and ducks who mate with the pond ducks.

In the wake of the slaughter, there are only about 35 ducks and 8 Canada geese remaining.

People have also stopped feeding the ducks because of the carnage and the smell of the dead fowl. "It's so sad and there's no reason for it," Agee lamented.

Candid Court

Drug dealers and sex abusers, take note. Justice Thurgood Marshall, a member of the U.S. Supreme Court's liberal wing, says in a recent magazine article that he never votes to hear appeals by convicted drug dealers or incest offenders.

"If it's a dope case, I won't even read the petition," Marshall said. 'l ain't giving no break to no drug dealer. I won't handle incest cases, either," which he called 'disgusting.'

That personal glimpse of a sitting Supreme Court Justice is part of a special edition of Life magazine celebrating the bicentennial of the U.S. Constitution. The magazine gave a behind-thescenes look at the eight current Justices in the fall issue.

In another peek behind the scenes, Chief Justice William Rehnquist was shown to be an avid amateur painter who once missed a State of the Union address to attend an art class.

In addition to being a devotee of fineart, Rehnquist is also an excellent tennis player, according to Life. At age 62, he is usually the top seeded player in Supreme Court tournaments and often challenges his law clerks to a

Justice Sandra Day O'Connor. meanwhile, once had t-shirts printed up with the slogan Loosen up with the Supremes, after a drunken football player told her, "C'mon, Sandy baby, loosen up.''

The creative outlet for Justice Harry Blackmun, 78, is writing opinions for Supreme Court decisions. It is "like an artist putting out a good painting," he said.

Change of heart

When New York City Police Capt. Ralph Dumond was transferred last year from the scan-dalized 77th Precinct in Brooklyn to the 28th Precinct in Harlem, community leaders worried that the removal of Deputy Inspector Philip Sheridan from command of the 28th would spell trouble for the predominantly black neigh-

Much to their surprise, however, Dumond has proved to be just the man to carry on the legacy that Sheridan left behind," said the Rev. Betty Neal Maldonado, pastor of the Inter-Denominational Gospel Mission.

Maldonado was one of those who most vncally expressed dismay over Dumond's transfer to the 28th Precinct, Now she says, "I was wrong and I admit I was wrong."

month, Last Maldonado's church honored Dumond and several other officers with medals of excellence in August for helping to keep drug dealers out of the community. "The Wild West was tame compared to our area," said Maldonado, "and Dumond is the one who is helping to tame it.

Maldonado said community leaders were not so much opposed to Dumond as they were angry at losing Sheridan. Sheridan had impressed the community as an officer who really seemed to care, she said, and while Dumond was never touched by the corruption scandal at the 77th, residents wondered if he could handle problems in Harlem when Bedford-Stuyvesant had proved so tough.

In addition to the award to Dumond, the church honored Police Officers Dana Harper and Robert Fields, Capt. Henry Krantz, Lieut. John Quinn and Capt. William Morange.

Dumond is quick to concede that there is still a lot of work to be done in the community, but he added, "It is nice that my efforts are being recognized in the community.

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Victims' non-impact on sentence

In our criminal justice system. the victim is often the "forgotten man." He becomes just another piece of evidence to the police,



Supreme Court Briefs

Jonah Triebwasser

just another witness to the pro-

The United States Supreme Court has rarely concerned itself with the victims of crime, preferring instead to examine a defendant's rights or the conduct of the constable. This week's case is an exception, as the Supreme Court now rules officially that the crime victim is indeed "the forgotten man."

Facts of the Case

In 1983, Irvin Bronstein, 78, and his wife, Rose, 75, were robbed and murdered in their West Baltimore, Md., home. The murderers, John Booth and Willie Reid, entered the victims' home for the apparent purpose of stealing money to buy heroin. Booth, a neighbor of the Bronsteins, knew that the elderly couple could identify him. The victims were bound and gagged, and then stabbed repeatedly in the chest with a kitchen knife. The bodies were discovered two days later by the Bronsteins' son.

A jury found Booth guilty of two counts of first-degree murder, two counts of robbery, and conspiracy to commit robbery. The prosecution requested the death penalty, and Booth elected to have his sentence determined by the jury instead of the judge. Before the sentencing phase of trial began, the State Division of Parole and Probation (DPP) compiled a pre-sentence report that described Booth's background, education and employment history and criminal record. Under Maryland law, the pre-sentence report in all felony cases also must include a victim impact statement (VIS), describing the effect of the crime on the victim and his family.

Although the statement is compiled by the DPP, the information is supplied by the victim or the victim's family. The VIS may be read to the jury during the sentencing phase, or the family members may be called to testify as to the information.

The VIS in Booth's case (see close-up at right) was based on interviews with the Bronsteins' son, daughter, son-in-law and granddaughter. Many of their comments emphasized the victims' outstanding personal qualities, and noted how deeply the Bronsteins would be missed. Other parts of the VIS described the emotional and personal problems the family members faced as a result of the crimes

The DPP official who conducted the interviews concluded the impact statement by writing:

"It became increasingly apparent to the writer as she talked to the family members that the murder of Mr. and Mrs. Bronstein is still such a shocking, painful and devastating memory to them that it permeates every aspect of their daily byes. It is doubtful that they will ever be able to fully recover from this tragedy and not be haunted by the memory of the brutal manner in which their loved ones were murdered and taken from them."

Defense counsel moved to sunpress the VIS on the ground that it contained irrelevant and unduly inflammatory information, and that its use in a capital case thus violated the Eighth Amendment to the U.S. Constitution, The Maryland trial court denied the motion, ruling that the jury was entitled to consider "any and all evidence which would bear on the {sentencing decision}."

Booth's lawyer then requested that the prosecutor simply read the VIS to the jury rather than call the family members to testify. Defense counsel was concerned that the use of live witnesses would increase the inflammatory effect of the statement. The prosecutor agreed to this arrangement.

The jury sentenced Booth to death for the murder of Mr. Bronstein and to life imprisonment for the murder of Mrs. Bronstein. On automatic appeal, the Maryland Court of Appeals affirmed the conviction and the sentences. Booth v. State, 306 Md., 172, 507 A. 2d 1098 (1986). In Booth's case, the court determined, the VIS served as a "relatively straightforward and factual description of the effects of these murders on members of the Bronstein family," and found that the death sentence was not imposed under the influence of passion, prejudice or other arbitrary factors.

The U.S. Supreme Court then granted certiorari to decide whether the Eighth Amendment prohibits a capital sentencing jury from considering victim impact evidence.

Powell's Persuasion

In one of the final decisions written before his recently announced retirement, Associate Justice Lewis F. Powell Jr. spoke for a divided Supreme Court which once again upheld the rights of a defendant over concern for the victim.

Powell noted that while the Supreme Court has never said that the defendant's record, characteristics and the circumstances of the crime are the only permissible sentencing considerations, a state statute that requires consideration of other factors must be scrutinized to insure that the evidence has some bearing on the defendant's "personal responsibility and moral guilt." Enmund v. Florida, 458 U.S. 782, 801 (1982). To do otherwise would create the risk that a death sentence will be based on

considerations that are "constitutionally impermissible or totally irrelevant to the sentencing pro-' See Zant v. Stephens, 462 U.S. 862, 885 (1979).

The VIS in this case," Powell wrote, "provided the jury with two types of information. First, it described the personal characteristics of the victims and the emotional impact of the crimes on the family. Second, it set forth the family members' opinions and characterizations of the crimes and the defendant. For the reasons stated below, we find that this information is irrelevant to a capital sentencing decision, and that its admission creates a constitutionally unacceptable risk that the jury may impose the death penalty in an arbitrary and capricious manner."

Victims' Reputation Unrelated "The focus of a VIS," wrote Powell, "is not on the defendant, but on the character and reputation of the victim and the effect on his family. These factors may be wholly unrelated to the blameworthiness of a particular defendant. As our cases have shown, the defendant often will not know the victim, and therefore will have no knowledge about the existence or characteristics of the victim's family. Moreover, defendants rarely select their victims based on whether the murder will have an effect on any one other than the person murdered. Allowing the jury to rely on a VIS therefore

Continued on Page 7

could result in imposing the death

'The family would like to see swift and just punishment'

Excerpts from the Victim Opinion Statement filed as an appendix to the Supreme Court's opinion in Booth v. Maryland

"The victims' son states that he can only think of his parents in the context of how he found them that day, and he can feel their fear and horror. It was 4:00 p.m. when he discovered their bodies and this stands out in his mind. He is always aware of when 4:00 p.m. comes each day, even when he is not near a clock. He also wakes up at 4:00 a.m. each morning. The victims' son states that he suffers from lack of of sleep. He is unable to drive on the streets that pass near his parents' home. He also avoids driving past his father's favorite restaurant, the supermarket where his parents shopped, etc. He is constantly reminded of his parents. He sees his father coming out of synagogues, sees his parents' car, and feels very sad whenever he sees old people. The victims' son feels that his parents were not killed, but were butchered like animals. He doesn't think anyone should be able to do something like that and get away with it. He is very angry and wishes he could sleep and not feel so depressed all the time.

"The victims' daughter, . . thinks a part of her died too when her parents were killed. She reports that she doesn't find much joy in anything and her powers of concentration aren't good. She feels as if her brain is on overload. . . . The victims' daughter states that wherever she goes she sees and hears her parents. This happens every day. She cannot look at kitchen knives without being reminded of the murders and she is never away from it. She states that she can't watch movies with bodies or stabbings in it. She can't tolerate any reminder of violence. The victims' daughter relates that she used to be very trusting, but is not any longer. When the doorbell rings she tells her husband not to answer it. She is very suspicious of people and was never that way before.

"The victims' daughter. . . states that her parents were stabbed repeatedly with viciousness and she could never for give anyone for killing them that way. She can't believe that anybody could do that to someone.... The murders show the viciousness of the killers' anger. She doesn't feel that the people who did this could ever be rehabilitated and she doesn't want them to be able to do this again or put another family through this.

"The victims' family members note that the trials of the suspects charged with these offenses have been delayed for over a year and the postponements have been very hard on the family emotionally. The victims' son notes that he keeps seeing news reports about his parents' murder which show their house and the police removing their bodies. This is a constant reminder to him. The family wants the whole thing to be over with and they would like to see swift and just punishment. . .

Does success breed complacency? Not for crime-watch groups in Boise

forcement agrees that neighborhood watches, crime watches and similar citizens' groups can have



Burden's Beat

Ordway P. Burden

heneficial effects on crime rates. When neighbors are watching out for each other, the community becomes safer and less prone to burglaries, larcenies and vandalism. Equally important, perhaps, the citizens feel safer and more secure.

The trouble is that success breeds complacency. When crime goes down, so does the enthusiasm for watching. And so many watches tend to fizzle out from apathy and a perception that they are no longer necessary.

When that began happening in Boise, Idaho, the Police Department's three-member crime prevention office decided to do something about it. Not that crime is rampant in Boise, Idaho's largest city with a population of 105,000. In fact, it

Just about every body in law en- has a relatively low rate of crime for cities of its size in the Northwest. But, said Craig Huntsman, the police department's residential crime prevention officer: "Boise still has a kind of smalltown attitude even though the population is fairly large. People here are more sensitive to crime than in cities where it is a real part of life. We have enough crime that it bothers people.'

> With a \$12,00 grant from the ldaho Office of Criminal Justice Assistance, the crime prevention office developed a systematic approach to revitalizing the city's neighborhood watches. The first step was a survey, conducted by Boise State University students, of the chairmen of the 270 neighborhood watch groups that then existed, at least on paper. The students found that nearly half of the groups were inactive, or nearly so. The next step in the assessment was a meeting of crime prevention officers with the watch chairmen. At that meeting, the police found that the major problems were a lack of funding and other resources, poor communication between the crime prevention officers and the watch groups, and inadequate training

of watch leaders.

To respond to these problems. in January 1986 the crime prevention officers moved into the second phase, which they call maintenance. Because they believed that better communications were the key to improvement, the officers started a quarterly newsletter and created a "move-in packet for new residents, which included information about crime prevention. The newsletter was found to be especially valuable. Not only did it keep the police in closer touch with neighborhood watch chairmen, it also encouraged the chairmen to communicate with each other.

In addition, the police began a crime notification network that gave watch leaders information about crimes in their neighborhoods and computer printouts of crime data for the city. A telephone hot line was established to provide watch leaders with fast advice about crime problems, home security and watch organizations. To recognize successful watch leaders, a "Chairperson of the Month" plaque was authorized.

A training manual was pub-Continued on Page 13

Police management at the brink of failure

The challenge and opportunity posed by interactive approach to management

By Louis A. Campanozzi

Today's police managers are in danger of failing.

We may be doing fairly well as supervisors, but as managers we are failing. Taking into consideration that the act of supervising is basically one of reacting to a situation - that is, overseeing an operation and then offering approval or making corrections then we are all basically good supervisors. That is what we have been trained to do; that is what

most of our "managers" expect of us, and that is what we have come to expect of ourselves.

However, the role of a manager is that of directing an operation, of coordinating resources and achieving organizational goals.

Think about it. How many police managers (be they sergeants, lieutenants, captains or chiefs) do you know who are really acting as managers rather than supervisors?

How many police captains, ma-

jors, colonels or chiefs do you know who really believe they can have an impact on the rate of crime?

When was the last time you sat down and actually set a goal to reduce specific crime by a stated objective? Is your managerial staff doing anything creative about managing (not simply controlling) your department's personnel? Why is it that we attempt to manage the budget, but we actively avoid managing crime?



Many police departments have tried more progressive management styles, using techniques once unique to the private sector.

Policing's quasi-military tradition versus the 'Me Generation'

We have been lulled to sleep by our own history. As police managers we have traditionally relied on a quasi-military form of management. More likely than not, the emphasis has usually been on the "military" rather than the "quasi." We are ordergivers, decision-makers and commanders. Consequently we rarely move unless we are given an order by a decision-maker above us.

Although the quasi-military structure serves well in tactical situations, the police are very seldom in a tactical operations

Years ago we realized that police officers spend the majority of their time in areas other than the traditionally pictured "crimefighting" activities. We then geared our training to prepare our personnel for public service, conflict resolution, crime prevention and the endless list of other mat-

order; to have vision rather than hindsight; to accept the responsibility for reducing crime and to work actively toward that reduction rather than reacting to a

depression of the 1930's, young people were coached to seek secure jobs in the public service agencies. The police department represented job security against

"Quasi-military management is outdated. It is no longer an effective way of managing people. Cops today do not accept the reasoning of 'Do it or else.' "

ters that normally consume the trend at the end of a year. officer's daily routine

We have never made that transition — in training or mindset in how we manage our functions.

The challenge facing police managers is to become effective managers of people and resources: to lead rather than

Police and fire departments

The question is: How do we do

have usually been the stepping stones for the children of immigrants on their way to becoming middle-class American families. Following the economic

the impending financial doom that was sure to be repeated. Through the 1940's, 50's and mid-60's we recruited victims of the Depression era, as well as children who were raised by victims of the Depression. They were glad to have a job, a secure job, possibly a job with a future.

The officers recruited today are not usually the children of immigrants, nor are they connected to economic setbacks. They seek the police job for a variety of reasons, but their motivation is not centered on the lower end of Maslow's Hierarchy of Need. Their aspirations go beyond the basic needs of food, clothing, shelter and the need for security.

Today's police officer comes from the "Me Generation." The people who are now attracted to law enforcement do not see the job as the attainable end, but rather as a means to an end. It is a part of their entire life span, but it is not life itself.

Like it or not, that is reality and managers deal with realities.

When covering posteriors outweighs promoting posterity

Quasi-military management is outdated. It is no longer an effective way of managing people. Cops today do not accept the reasoning of "Do it or else." At one time there was control over the "or else" factor. With the stroke of a pen, or an utterance, a police manager could cancel an officer's days off, move him to a less desirable position, change his work shift or generally make things miserable

Union contracts, Civil Service law, court decisions and government edicts have destroyed many of the "or else" factors there may have been in the past. Even without any of those variables, today's worker is mobile, will switch jobs and will hardly think twice about relocating to another part of the country for a new job. Take This Job and Shove It" is

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more than just a song title.

This is not meant as an indictment of the 1980's worker. The new police officer is still highly motivated, very productive and proud of the profession. They are, however, motivated at a higher level. They want to know why, is there a better way, what's the result.

Besides being outdated, quasimilitary management has made officers lazy and unproductive. After a period of time, they learn not to move until they are given directions, instructions and approval. (How many times have you heard an officer told he was not being paid to think?) Officers are given the responsibility for making life-and-death decisions, yet are told when they may wear their summer uniforms.

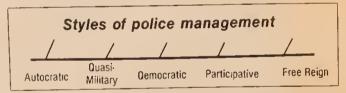
Not only are police officers getting lazy with this outdated management, police managers are getting lazy because of it. We order rather than plan, organize and manage.

Managers have taught us the dangers of sticking our necks out. Low-cost, or even no-cost suggestions must go through layers of rank for consideration and approval. File drawers become filled

with memos aimed at covering posteriors, rather than promoting posterity.

All of the preceding notwithstanding, many police departments have tried more progressive styles of management. Techniques that were unique to the private sector just five or ten years ago are now being implemented in law enforcement agencies across the country. Quality work circles and management by objective (MBO) are now a part of the police vocabulary, if not throughout the department then at least at the higher levels.

Some police agencies have even attempted a quantum leap from autocratic management to participative management (see illustration). However, it does not take too long to realize the problems with participative management. In trying to make such an advance in a short period of time, we soon find ourselves in some type of management crisis. When in crisis, it is normal to revert to the past performance that was comfortable for the organization (or person). Consequently, the department begins to use that management behavior that works best for that particular problem



at that particular time. However, we can only hope that the workers, the managers and the situation are all in the same time

In fact, there are several reasons why participative management, or even democratic management, does not work in the real world of police duties.

First of all, the very nature of the job is not conducive to democratic leadership. Workers in policing usually act alone without the benefit of committees. Managers do not have the luxury of pulling a group of cops off the streets and bringing them into the office for a three-hour planning session. When we do go into a tactical situation there is no time or place for discussion. Commands must be given, immediate decisions must be made and im plementation is to be effected

In conjunction with the nature

of the job, the reality is that police work within a public service agency that is ripe with political concerns. The chief of police must be responsive to public needs. In a democratic form of government the desires of the electorate are always placed above the desires of the elected. All chiefs of police are extensions of those elected to

Secondly, participative management creates false expectations for the workers. Sometimes we encourage participation and other times we direct. Just as we begin to create the illusion that our workers are going to participate in virtually every policy decision, there comes a situation where participation is not feasible. The bubble is then broken and rustration is created within the

A third reality is that this type of progressive management

New hope for Bolivian drug unit

U.S. officials are optimistic that Bolivia's special battalion of anti-cocaine police, which has been riddled with corruption in the past, is shaping up enough to help fight the nation's war on drugs instead of succumbing to the allure of bribes from cocaine traffickers.

Created in 1983 under an agreement between Bolivia and the United States, the 500-man battalion — known as the Leopards — got its initial training from American troops and its operating costs continue to be subsidized by the U.S.

For the most part, however, the battalion has been a disappointment because of rampant corruption. Bolivians involved in the country's anti-narcotics efforts say that the Leopards give drug traffickers a wide berth in which to operate in exchange for enormous bribes.

In the region called the Chapare, a heavily forested area in central Bolivia where coca leaves are grown, Leopards have become accustomed to receiving

bribes in order to look the other way while cocaine business is done. While a few officers have been transferred and others dismissed, none are known to have been criminally prosecuted.

Since May, the Leopards have been receiving training from a team of U.S. Army specialists in such skills as weapons use, small-unit tactics, jungle survival, physical fitness, field medicine and sanitation. They are also being supported and augmented by a squad of Drug Enforcement Administration agents.

The battalion's command system was reorganized several months ago, with all operations placed under the direct control of the general staff at Chimore, the Leopards' base. Previously, the three zone commanders had nearly free rein for controlling operations in their area, according to The New York Times.

One U.S. official who wished to remain anonymous said the new command system strips away "unnecessary layers" of officers,

giving traffickers fewer opportunities to buy protection while an increased DEA presence helps limit corruption. In addition, Col. Armando Sandagorda, who is said to have a sterling reputation for honesty, has been named to succeed Lieut. Col Celso Hernani as head of the Leopards.

Hernani was removed from the post in July because of corruption.

The training and reorganization are said to have sharply increased the Leopards' success over the past couple of months. With the battalion's ground forces operating in the cocagrowing areas, helicopters on loan from the U.S. will be able to conduct more operations against cocaine laboratories in the provinces of Beni and Santa Cruz.

Early this past summer, the UH-1H Huey helicopters were grounded because the country's air force flight insurance had expired. With help from the U.S., the aircraft were able to fly again by July.

Cops, lawmakers face problem of pit bulls

Continued from Page 1 quist of the city's Animal Regulation Department.

Extinguishing the Dog

If officers have prior knowledge that a dog is present, the best method for dealing with the situation is with a fire extinguisher. "That's something that's come into use only in the last year or so," said Berquist. "A blast from this will normally keep the animal completely away. It's really been drummed into [officers'] heads."

But since fire extinguishers are not always available. Berquist said that if a dog charges, police should either hit the animal over the head with a baton or use a firearm to handle it. "Very often, without prior planning, the officer is going to be able to do very bttle besides react to the dog." Berquist said. "This is where police shootings come in because that's the only thing they could go to."

Such was the case in Rochester, N.Y., recently when two officers, responding to a cry for help from a man under attack by a pit bull, shot and killed the offending animal. After the 70-pound dog lunged at one of the officers, the second officer dispatched the pit bull with a hlast from a 12-gauge shotzun.

New York's Emergency Services Unit often handles hostile dogs with tranquilizers. But because the animal cannot he weighed to determine a proper dosage, this is often a lethal alternative, said Jeffrey Hon of the American Society for the Prevention of Cruelty to Animals.

Lately, he said, the ASPCA is called in more often by police when a pit hull is involved, usually arriving within 20 minutes to a half-hour. "We send our animal rescue teams who are well trained in the use of ropes or poles," said Hon. "It seems to be a really effective means of restraining the animal."

In many cases, however, the animal has already been tranquilized or shot by the time animal control agents arrive.

Lawmakers Gear Up

In response to the recent wave of reported attacks, state and local lawmakers have proposed a flurry of legislation regarding the supervision of aggressive dogs and the fate of the pit bull as a breed.

In August, the attack on offduty New York City police officer Lewis La Pietra by a five-year-old pit bull named King spurred a

citywide controversy between public officials who would like to see pit bulls banned from the city and the ASPCA, among others, who balk at the idea of restricting the ownership and breeding of a particular type of dog.

La Pietra was so badly injured by the dog that he needed skin grafts on his arm. King had bitten two other people this year. While municipal law states that a dog may be destroyed if it seriously injures three people within 24 months, King's fate has not yet been decided.

"I perceive the pit bull in the same league as the Great White Shark on some occasions," said Mayor Ed Koch.

Three-Pronged Approach

The Thornton, Colo., City Council is also looking at a proposal, offered by Environmental Service Director Casey Elliot, to deal with the animals. While the ordinance Elliot has proposed "doesn't have the bells and whistles of a pit-bull ban" it will work, he said.

The ordinance is divided into three categories. A third-degree bite, the least serious, committed on its owner's property after being provoked, would invoke penalties ranging from nothing to \$300; a second-degree bite, committed while the dog is away from home and has been provoked, or has bitten someone on its owner's property without provocation, carries a fine ranging from \$100 to \$300. Subsequent to this, the owner must comply with rules that include containing the dog within a six-foot fence with locked gates and posted signs; notifying neighbors within a 150-foot radius of the property, and proving the owner can control the dog

A first-degree bite, committed by a dog which is off its owner's property and attacks for no reason carries a fine of \$300, classification of the animal as a vicious dog and the immediate destruction of the animal.

With laws aimed at pit bulls also under consideration in such locales as Michigan, Cleveland and Dallas, owners of the dogs have taken to the vehement defense of the breed. However, they generally do not contest statistics showing that pit bulls are disproportionately involved in fatal attacks on people. During the 20-month period from Jan. 1, 1986, through August 1987, pit bulls accounted for 14 of the 21 dog-related deaths in the United States.

Black males line up for fingerprinting to help frustrated police solve rape spree

Despite the controversy surrounding methods employed by the Homestead, Pa., Police Department to capture a rapist who had been attacking elderly women for the past four years, the department, which made an arrest earlier this month, claims the unorthodox approach aided the investigation by eliminating possible suspects.

At the end of their investigative wits, the Homestead police resorted to the voluntary finger-printing of black men in the community in hopes that they would find a set that matched those of the rapist terrorizing the town's female senior citizens. Although victims caught only glimpses of their assailant, they were able to tell police that he was black.

By the time an arrest was made, police had voluntarily finger-printed about 100 residents. Only five refused.

Police Chief Chris Kelly theorized during the investigation that challenge the unusual police pro-

the rapist was someone known in the community, perhaps a respected citizen. Homestead is a fairly small town of about 5,000 residents, and an outsider or a known criminal, Kelly told reporters, would have been spot-

According to Sgt. Richard Guest, the man arrested and charged with the rapes is black, in his early 20's and lived "right in the heart of the area where the rapes were taking place."

The alleged assailant was arrested, Guest said, on charges of receiving stolen property and was fingerprinted through routine police procedure. "He was trying to hock a gun taken from one of the victim's houses," the sergeant said.

Although the Pittsburgh chapter of the American Civil Liberties Union sharply criticized the fingerprinting plan, black groups in the town did not challenge the unusual police pro-

cedure, citing the severity of the attacks and the fact that the fingerprinting was voluntary.

The tactic was criticized by some officers as a waste of manpower in the 13-member police department, but Chief Kelly said the department would do anything to get the investigation moving again. Since 1983, investigators from the police department had worked with county, state and Federal agents to conduct some 300 interviews in the rape spree.

Since the first attack occurred in August 1983, six women ranging in age from 64 to 85 had been raped. The second attack took place in 1985, but this year four women were raped in their own homes.

In each case, the women lived alone and without dogs. Police had been unable to make a composite sketch because the attacker threw a sheet over the victim's head before the assault,

Supreme Court Briefs:

Victim impact statements eyed

Continued from Page 5 sentence because of factors about which the defendant was unaware, and that were irrelevant to the decision to kill. This evidence thus could divert the jury's attention away from the defendant's background and record, and the circumstances of the crime."

Justice Powell closed the Court's opinion by expressing his sympathy for the suffering of the victims' family, but noted that sympathy is no substitute for sound evidence, especially when the death penalty is at issue:

"One can understand the grief and anger of the family caused by the brutal murders in this case, and there is no doubt that jurors generally are aware of these feelings. But the formal presentation of this information by the State can serve no other purpose than to inflame the jury and divert it from deciding the case on the relevant evidence concerning the crime nad the defendant.... The admission of these emotionallycharged opinions as to what conclusions the jury should draw from the evidence clearly is inconsistent with the reasoned decision-making we require in capital cases."

Legal niceties aside, the unanswered question remains: Will this decision be yet another psychological blow to the Bronstein family? Only time will tell. (Booth v. Maryland, No. 86-5020, decision issued June 15, 1987.)

Jonah Triebwasser is a former police officer and investigator who is now a trial attorney in government practice. He is a member of the Bar of the Supreme Court of the United States.

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Sugarmann:

Survivalism and the American gun lobby

By Josh Sugarmann

With sales of assault weapons like the Uzi, MAC-10 and Colt AR15A2 burgeoning, and a movie and TV culture that is increasingly equating action with fire-power, the National Rifle Association and the firearms manufacturers have decided to drop their veil of feigned respectability. They donned camouflage garb and let it be known that no man, no law can stop them.

The NRA of the 80's - perhaps more aptly defined as the National Rambo Association - is a self-described cadre of 'tough, no-holds barred street fighters. The black-bordered logo of this new NRA features an eagle, talons outstretched, streaking in for the kill. Behind it, a lightning bolt strikes. All this stands in stark contrast to what the NRA, when criticized, claims to be: the much-

Other Voices

maligned sportsmen's association personified by its happy "I'm the NRA" ads often populated by women, children and folksy celebrities.

But this macho stance is almost predictable when you look at who the NRA actually is. One well-known member of its board of directors is Robert K. Brown, a sometime financier of mercenary armies in Central America and other areas who is also publisher of the survivalist-oriented magazines Soldier of Fortune and Guns

Not surprisingly, the NRA's Ramboesque mindset is not limited to its board. A 1985 NRA membership letter - complete with camouflage artwork - promises a "Deluxe Survival Knife" with sixinch blade to any member who signs up five new inductees. The reader, reminded that "another good knife always comes in handy," is enticed with the fact that 'your own membership renewal now ne matter when it's actually due counts toward helping you earn your knives." As an extra bonus, those who mail in their knives for members forms early can have their names entered in a special drawing for such incentives as rifles, handguns, shotguns and other very worthwhile prizes.

Most recently, the NRA has taken up the battle to protect Americans' "right" to keep and bear machine guns. The weapons be sold to "shooters 16 years of age or older," in most states airgun sales to children are legal.

All this might be merely disconcerting if these overtures to America's survivalist instincts were going unheeded. But in a country where handguns have become commonplace, many Americans are looking for something new. Semi- and tully automatic assault weapons appear to be it. In addition to the limited pool of approximately 180,000 machine guns legally available to Americans, another



Part of a cache of machine guns seized in a raid by Federal agents,

A sompling of editorial views on criminal justice issues from the notion's newspopers.

Which war on drugs? Is marijuana more important?

"Drug-abusing Americans pay perhaps \$110 billion a year for their habit. Drugs probably drain away another \$60 billion in crime, health problems and lost productivity. Yet the country spends barely \$7 billion on enforcement, education and rehabilitation. Even determined enforcers admit they are overwhelmed. Domestic demand may never be extinguished lut it can be diminished. The way to start is to distinguish among drugs. Marijuana plants are vulnerable to aerial spraying; processed pot remains bulky to ship. Thus crackdowns on foreign supply may have more effect than on cocaine, more easily smuggled. Marijuana use appears stable. The most dramatic effect of disrupting foreign supply has been to raise the price and promote domestic production. U.S. growers now more than meet the demand. Meanwhile, the health risks of marijuana seem mild compared with the effects of tobacco and alcohol, and public tolerance remains widespread. Eleven states have reduced possession of an ounce or less to a ticketable offense. Alaska's courts have in effect legalized growing marijuana at home for personal use, and there is support for laws to do the same in some other states. Nevertheless, law enforcement devotes heavy resources to fighting marijuana. In 1985, local police made 451,138 marijuana arrests, most for simple possession. These comprised half of old drug arrests — a heavy response indeed to the lightest drug problem. That's why some authorities propose to legalize and regulate marijuana and tax its use. Short of legalization, further decriminalizing marijuana could free law enforcement resources to fight the much bigger menace - cocaine. - The New York Times

August 31, 1987

Wise guidelines for child-abuse cases

Representatives of 21 city and county agencies in Atlanta with responsibility for handling cases involving sexual abuse of children have worked out a sensible agreement that will allow them to better coordinate their efforts and ease trauma that the criminal-justice process often causes young victims. It is a sensitive move. Under the agreement, which is patterned after a successful model in DeKalb County, the interview of a victim will be conducted at the Fulton County Emergency Shelter, where it will be videotaped for use later at court hearings. The principal interviewer then will be allowed to testify for the child in court, provided the court finds that the interview is reliable, and the child is present for cross-examination by the defense. If a child is required to testify, the agreement calls for the proceeding to be held in the judge's chambers. The emotional strains on child-abuse victims are great. The new procedure will at least reduce the ones that the legal system must add."

- The Atlanto Constitution August 31, 1987

Parole agents: a cruel cut

"The state's layoff of two-thirds of its parole officers devastates its already inadequate parole services. But in light of the Legislature's failure to pass the Governor's proposed tax increase, it was not unexpected. The state's parole officers already are burdened by caseloads of 125 to 150 ex-offenders apiece. The cuts will leave agents with caseloads of 400 to 500 each. With the state's prison population at an all-time high and still growing, the load assigned to the state's parole agents has grown from bad to ridiculous. The cutting back of parole officers, sadly enough, does not spark a public outcry comparable to cutbacks in police or schools - at least, not until the public and its legislators get a better idea of how many serious crimes are being committed by ex-offenders dropped back on the streets with virtually no monitoring or guidance.

— The Chicago Tribune August 26, 1987

reason: target shooting. According to the August 1986 NRA Monitor, "sporting events involving automatic firearms are similar to those events such as silhouette shooting and other target-related endeavors, and deserve the same respect and support." The NRA adds that it 'will take all necessary steps to educate the public on the sporting uses of automatic firearms." Repeal of the May 19, 1986, Federal ban on the future production and sale of machine guns for civilian use has been designated a "high priority" by the organization.

But the NRA isn't the only member of America's gun lobby that has latched onto survivalism. A 1985 Colt Industries ad for its AR15A2 - the easily convertible semi-automatic version of its M16A2 machine gun - is targeted directly at survivalists. The ad features a handsome rancher looking across his land. There are leather patches on the elbows of his flannel shirt and a Colt assault rifle in his hand. The headline reads: Means Different Things to Different People," and continues with the pitch: "For a rancher in the high country of Wyoming, being self-sufficient can mean keeping varmints from his sheep. For a rugged individual in the wilderness, it means being prepared for any eventuality. For these men, and thousands like them, there's only one gun. The Colt AR15A2.

Even the young are fair game for the industry's survivalist marketing tactics. Last year, the Daisy airgun manufacturing company introduced a line of exact replicas of military assault weapons. A catalog description of one Daisy assault airgun says it is "so accurate in styling that you'll have to look twice to tell it from the real thing," and adds that paramilitary enthusiasts will appreciate the realistic bolt action. Although Daisy recommends that the

500,000 semi-automatic assault weapons are already in the hands of U.S. citizens. Many of these can be readily converted to fully automatic machine guns. Some, such as early versions of the easily concealable MAC-10, are pitifully simple to convert. Others, such as the Colt AR15A2, are a little harder - the inexperienced may need to buy one of the conversion manuals that are legally sold in various gun magazines. The U.S. Bureau of Alcohol, Tobacco and Firearms reports that seizures of illegally converted machine guns have nearly quadrupled, from 573 in fiscal year 1984 to 2,046 in fiscal year 1985.

The gun lobby has embarked on its survivalist sales pitch for a simple reason: They believe there's a 'new, untapped market waiting for them, and that this new campaign will evoke little, if any, public outcry. In a country where magazines dedicated to the non-sporting use of firearms are increasing in both number and popularity, and where handguns and machine guns are glorified on our movie and TV screens, who can blame the gun lobby? We're the ones who have let the NRA and the manufacturers view America as a vast training camp filled with "tough, no holds-barred street fighters" and "rugged individuals" prepared for "any eventuality." Survival does mean different things to different people, and if the NRA and the manufacturers succeed in transferring this latest movie myth into our daily reality, what can be next?

Josh Sugarmann is the former communications director of the Notional Coolition to Ban Handguns. He is currently working on o book on the handgun restriction movement in America.

Youth is wasted on the young, a commentator once noted. Not so in the case of Sam V. Baca, the 38-year-old police chief of Albuquerque, N.M. A veritable wunderkind in law enforcement, whether in New Mexico or anywhere else, Baca has been applying the seemingly boundless energy of youth in a steady stream of innovations and improvements in the Albuquergue Police Department since at least the late 70's, when he was a sergeant in the Internal Affairs Unit.

Baca was not yet out of his 20's when he helped establish the department's first national model internal affairs policy - one that all but took internal investigations out of the hands of Internal Affairs investigators and vested them in field sergeants. Since then, his career progress and innovative pace have been nothing short of torrid. By age 33, he was the deputy chief of police and had already created a ground-breaking Civil Litigation Unit and implemented a Managing Patrol Operations

program that increased felony arrests by nearly 800 percent over a three-year period. In January 1986, still just 36 years old, he was named police chief, the first Hispanic to hold that post in Albuquerque.

 $oldsymbol{F}$ or all of his progressive policing instincts, Baca maintains that he is still a no-nonsense strict disciplinarian. The department does not currently have a drug-testing policy, but Baca would welcome one - a policy that provides for dismissal of those who test positive. His is also one of the rare departments that will fire an officer for 'untruthfulness." Cops who lie, he asserts, have destroyed their integrity and credibility as officers and should not be part of his operation.

Despite the often frenetic pace of improvements in Albuquerque and the singular distinctions of Baca's career, he is by no means without common ground with his many police chief brethren. For starters, he laments,

as do so many other chiefs, the fact that his department is chronically understaffed. And, of course, the problem becomes exacerbated in a city that is growing as quickly as Albuquerque. His department, too, is one that wrestles regularly with such problems as domestic violence and narcotics trafficking. (But, of course, each problem is in the end simply a focus for Baca's fertile law

To deal with the understaffing problem, Baca is aided by the fact that his department is quite young, with an average age of just 26. This is due in large part to a retirement plan Baca calls "the best in the nation." An officer can retire after 20 years with 70 percent of his salary, or hit the maximum of 80 percent after just 22 years, 10 months. The agency loses experience, but gains enthusiasm and motivation from younger officers. And, Baca is quick to note, younger officers are "easier to mold." At this rate, the youthful Albuquerque Police Department may soon be calling Chief Baca "Grandpa.

"Domestic violence is every department's nightmare. They try to ignore it and sweep it under the rug, but it comes back to haunt you."



Police Chief of Albuquerque, New Mexico

Law Enforcement News interview by Marie Rosen

of the youngest major city police chiefs in the country. How did you manage that at the tender age of 38?

BACA: A lot of hard work. Basically anyone can be as successful as I have, and it's not because I'm a unique person. What it takes is a person who gives 100 percent to his job and at the same time takes pride in what he accomplishes and the work that he does and knows how to interact with people - I think that's one of the keys. If somebody gives 110 percent, interacts well with people and takes pride in his work, he's going to make it up the ladder. It takes a lot of work. You don't accomplish it just by hoping and wishing, you've got to do a few things. When I got in the department I managed to get associate's degree in police science and my bachelor's degree in criminology; I even got my master's degree in public administration. It's an effort you've got to put into your work and set your goals. I know I'm way ahead of my goal - I still should be somewhere in the captains at best. That's some of the goals I had to establish — how you're going to get there, how you're going to accomplish it. I use a systems approach anytime I have a problem, and basically it's first you decide your goal or the problem. What you do is you look at your environment, and what I mean by environment is what are some things you have no control over but you should be aware of. That takes into account politics and everything else like that. Then think about what resources you have to accomplish it and set your goals and alternatives, so that in case it doesn't work

out you have some alternative. And then you go into implementing them.

LAW ENFORCEMENT NEWS: You are probably one LEN: Are you the department's first minority-group chief?

BACA: Yes, 1 am.

LEN: Are Hispanics in fact the minority in Albuquer-

BACA: Well, there are 34 percent Hispanic here,

LEN: That's a pretty sizable population. As the first minority chief, did any backlasb occur when you first took office?

BACA: First of all, I think the appointment was long overdue whether it was me or anybody else, but you do get a repercussion of being the first because everyone really looks at you with a jaundiced eye. You just have to be up front with people and give it 100 percent. They're going to look at you a little more closely, which is great. I welcome that, I like people who have suggestions or want input. I listen to them. I know some police chiefs that don't like that. They don't like being criticized, they don't like people watching their backs, but I'm used to it. I did that when I made detective in three years, which was unheard of. I made Police Officer of the Year with four or five years in the department. I made lieutenant and captain at an early age and I'm always used to people keeping an eye on me. They look at you a little closely but 1 welcome it.



LEN: Are you well accepted by the white establisb-

BACA: Oh yeah. Matter of fact, the paper here did a survey of the population here and how they view the department and me. The department and myself came out almost equally. Over 80 percent of the people felt that I was doing and the department was doing a good

LEN: That's quite a good rating.

BACA: We were surprised because we get hit by the paper all the time and we thought people were going to simply look at what the paper had to say and formulate their ideas from it.

LEN: What is the reason for the adversarial relationship with that newspaper?

BACA: With the media overall 1 have no problem, They've been great to me. I've had a bad relationship with one of the papers here. Both of the former chiefs prior to me have had very bad relationships with the same paper. I don't think it's me personally. It's just that they've taken a negative approach to the department and the chief. We're just talking about one paper. I know one of the ex-chiefs has an \$18-million lawsuit against the paper for slander or a few other things.

I'm no exception. It appears they are reporting very negative on me. Overall, I don't stereotype myself as having a bad relationship with the media. I think I have a very good one. There may be one or two of the media Continued on Page 10

Page 9

'If it's accurate reporting but it doesn't look favorably on us, I have no problem with it. It's just the reporting that's inaccurate and taken out of context.'

Continued from Page 9 organizations that perhaps don't report as positive as some might.

'Good news doesn't sell papers'

LEN: Do you think it can serve a useful purpose to the community ultimately to have one newspaper out to get you? Does it keep you on your toea?

BACA: Good news does not sell papers, but they were the watchdogs and they're going to keep an eye on me and the department. I think partially it is good but in another aspect it's very bad, particularly when you have very bad and negative reporting. I don't mind getting quoted if I said the statement or even if it is something we did wrong, if we made a mistake that they printed. I have no objection to that. I recognize it and I accept it and I think it keeps everybody straight. What I don't like is out-of-context reporting and the reports that are not true, and I've had several humorous incidents one, rating the police departments as one of the top crime-ridden cities in the nation when it's not. If you look at the crime of cities our size, we are below average in crime. We only rose 2 percent this year in crime. You have one paper that said we are one of the top ten crime cities in the nation, which is totally false. That's the kind of reporting I dislike. If we made a mistake or if it's accurate reporting but it doesn't look favorably on us, I have no problem with it. It's just the reporting that's inaccurate and taken out of context.

LEN: You mentioned this survey showing that the vast majority of reaidents think you and the department are doing a good job, which would seem to indicate that you have your own links with the community, and that the community's impressions are not hased solely on reports from the media. What kind of links does the department have with the community?

BACA: There are a couple of things. First of all, we answer 100,000 calls for service and self-initiated calls a month in Albuquerque. They range from vandalism to life-and-death situations to homicides. Most businesses would consider it very good if they're successful 99 percent of the time, but it's not that way in law enforcement. We average about 18 complaints a month out of 100,000 calls. That's about one-hundredth of a percent and sometimes the media focus only on the 18, which is one-hundredth of a percent, and never touch or very rarely touch the other 100,000. I think the people we contact know we're doing a good job, and I think that pretty much sells ourselves because we make so many contacts with the community and we do a good job on it. We do make a very concentrated effort in dealing with the public. We have a lot of very, very good community programs, we try to participate with the community. We in law enforcement, or at least here in Albuquerque, know we can't do it ourselves; it has to be a joint venture with the citizens. People are shocked when I tell them that. People believe the myth that a police department - any police department - controls crime, and that's false. First of all, what are the direct links to crime? You have the economic base, you've got education, you've got the norms of society, the judicial system, the many other direct links to crime, and the police don't have control over that. If they would give us control of that, then hold us responsible for controlling crime. Don't get me wrong - we do have an impact, and



READY ON THE FIRING LINE: Recruits at the Albuquerque Police Academy, properly uniformed right down to their white-sidewall haircuts, at and ready for target practice.

Photocourtesy Albuquerque Police

I think that's how the department should be rated, on what impact does it have.

A dollar saved...

LEN: Looking at that modeat number of complaints, while you were a lieutenant you established a civil litigation unit that reduced claims from over \$1 million to \$50,000. Was it that the number of claims was reduced or just the monetary awards in such cases?

BACA: It was the number of cases as well as the monetary awards. The reason for that is previously we left it all up to the legal department. The legal department would not even address the case until just before trial and then rush in and do a very poor job. But while I was with internal affairs. I decided we were very poorly prepared when we get ready to go to court, so why don't we train our officers since they 're trained investigators? Let's be proactive. Let's take the case any time there is potential litigation and prepare it so when it comes up a year from now or two years from now we're ready to go to court on it. And the leads are fresh, the witnesses are fresh when we take their statements. So we went out there very proactively and we told the officers if you have a potential complaint, 24-hours-a-day, you call us and we'll gear it up as a litigation. In doing that, we very rarely lost any cases. We were prepared and most of the time people would back down when they found out we had already done our homework on it. That helped us tremendously and monetarily we weren't losing any cases any more. As a matter of fact, we went for about two or three years without losing one case.

LEN: From an officer's point of view, how does this unit work?

BACA: Let's say you're an officer and you're on patrol and you make an arrest. During this arrest, let's say the man resisted and you had to use excessive force. You had to shoot that individual. What you do is you call In-

'We've been able to manage resources by finding out what works best. Just because we put something in place doesn't mean it's going to last forever.'

ternal Affairs, you call Criminalistics and then you call Civil Lit. The Civil Litigation detective comes on duty and he starts preparing the case solely for the purpose of protecting the officer and the department and the city. He starts looking at what the criminal investigation is showing up, what the D.A.'s office is coming up with. We actually have three separate investigations when an incident like that happens. We have the criminal, which comes first, and then Internal Affairs and Civil Litigation. Civil Lit can use both the other cases to prepare theirs, because they work directly for me. So they have the benefit of using the other cases, plus they do their own interviews. Whatever they come up with, and what the officers tell them, they will not tell anybody. The Civil Litigation Unit has two bosses: the legal department and myself. So they have that client-attorney relationship working for them.

LEN: Ia there ever a conflict in terms of what you want to know versus confidentiality?

BACA: All the time [laughs]. Let's say someone lied to Internal Affairs, and our Civil Litigation detective finds out that that isn't what happened hut the officer's been up front with us, he's told us the truth. They don't even tell me. Their sole purpose is to defend the city. They're police officers but they report to me and the legal department. I handle the administrative part; the legal department overviews the litigation part.

LEN: How many officers are working in this unit?

BACA: Right now I've got six officers and one lieutenant. Some of them have some legal background, some of them are trained. Most of them have an investigative background. They work closely with the assistant City Attorney who reviews all their cases.

Internal Affairs: 'The sergeants hate it'
LEN: In addition to the Civil Litigation Unit, you also
established the department's first national model internal affaira procedures...

BACA: Yeah, I believe that the Criminal Justice Department as well as IACP helped put it together. It wasn't revolutionary but it was a little different from the traditional internal affairs. Maybe a lot different. Everybody that files a complaint, we will take that complaint. Before, if a sergeant or somebody felt there wasn't validity, he'd shrug it off and tell 'em to get lost. And that usually came back to haunt them. So we take a complaint from everybody. What's really different is we farm it out to the officer's supervisor to investigate. It's very time-consuming and the sergeants hate it, but what it does is that this sergeant now has a lot of insight on that officer. He's talked to the witnesses, he's talked to the complainant, he's talked to other officers that may know this officer better. He's the one that really has control, and hasically what he tells that officer is: "Hey, I don't have time for this. Knock it off." He can have an impact. It's unlike the traditional internal affairs, where they do all the investigation and give it to the sergeant for review, and then he looks at it and he could really care less — well, let me rephrase that. He really doesn't know the case like he should, and he'll make his opinion from whether he reviewed it very carefully or gave it just a very brief review. We felt he

LEN interview: Albuquerque Chief Sam Baca

really didn't understand the case in most instances, and he'd make his judgment on that. Even if it occurred, he would leave it up to Internal Affairs. Whereas now, he has to investigate it, he knows that officer a lot better and he knows some of the training aids and some of the problems that he's going to have to address.

LEN: How would you handle the situation if you have a sergeant who's not a first rate supervisor and an inordinate number of complaints coming to his attention?

BACA: We have a control factor. Every case handled is sent up through the chain of command after the sergeant finishes it. Then it goes up to the captain, who reviews it and can send it back or change the recommendations or whatever. Then it goes to Internal Affairs, who reviews the case to make sure it was done accurately; they'll contact some of the witnesses to make sure everything was done properly. Then it's sent to the City Attorney's office, who also reviews it. Then it's given to the Deputy Chief, who is briefed, and he comes up with his recommendation or he sends it back for further investigation. The final stage is that it comes to me, and I make the final decision.

LEN: Does Albuquerque have some kind of civilian review board — or is there any need for one, given the kind of procedure you're describing?

BACA: We don't, and I personally don't believe in civilian review boards. I really don't. We also have some other dimensions in our Internal Affairs. When I was in Internal Affairs I also had recommended that each officer wear a tape recorder, so all our officers now do that. This does several things. First, it keeps officers straight, and most of the time it keeps the civilians straight when they know the officer has the tape rolling. So it calms down the situation. In the first day I put it out there we had a complainant come in who was really beat up, and he had indicated to me that en route to booking the officer had pulled over to the side of the road and just whipped him bad. He really used excessive force on him for no reason while the guy was handcuffed. We called in the officer and started interviewing him. And he just smiled and said: "Look, I hated the tape recorder when you guys gave it to me, but maybe this is going to save me from this. Would you listen to this?" So we played it, and basically what happened is that he had no incident with the guy at the scene. On the way to the station, just before they got to booking, he indicated to the officer something like: "I'm going to have your job. When I bailout of here, in about 5 or 10 minutes, I'm going to have someone heat the hell out of me and I'm going to have your job." The officer just smiled and even took a couple pictures of the guy at booking, and when I got the tape recording I called the complainant back in and I played it for him. He just looked at me and was shocked and he says, "I guess I got beat up for nothing." And he turned around and walked out.

We've had other incidents where the officer used the tape recorder for criminal investigations. They had two guys they caught in an armed robbery, and they couldn't find the weapon or the money. So they had one suspect back in the officer's car, and the officer's trying to talk to him and he left the recorder going. So they tell the second subject, "By the way, we found the money and the gun," and they place him in the back of the car with the recorder still going. And he says to his buddy, "Hey, I thought you hid the money. They found the money and the gun." And the other guy says, "Oh no, it's on top of a roof hidden under something." We went to court on it, and they even appealed it and tried to suppress the evidence, and we won. They ruled that his expectation of privacy is lost when he's in a police vehicle.

No taunting while the tape rolls LEN: What is to prevent an officer from not using it?

BACA: I wish they could use it all the time. I really do. And we have to leave it to their discretion. Sometimes they're disciplined because they violate what the procedure should be. Anytime there's force involved, or any time it's a serious type of incident or they feel that a complaint may arise from it, they're to turn it on. Obviously they can't turn it on in every situation, and it's right under the belt. We also have micro-recorders which can fit in the shirt pocket, and it just takes a flick

of their fingers to turn it on. We also evaluate to make sure it's being used properly. I remember when we first got it we had an officer that would taunt the subject, like making faces at him and doing different things to get the guy riled up. So they can play with it, but I think we've become sophisticated enough to know whether they're doing it properly or not.

LEN: Are there any legal concerns attendant to the use of tape recorders like this?

BACA: Every court has upheld this, the notion that the officer is entitled to have a tape recorder, that the expectation of privacy is lost when an officer comes there because he is a public servant. So we've won just about every court case there was, and every appeal.

LEN: It would appear from the creation of the Civil Litigation Unit and the development of the model internal affairs policy that at one time Albuquerque had a problem in its interactions with the community...

BACA: I think just about every city has at one time or another. We're sensitive to it, and I think most departments you find are sensitive to it and they attempt not only to build up relationships but also at the same time come up with procedures to protect them.

LEN: Albuquerque is one of the fastest growing cities in the country, and usually when such growth occurs, police departments have to play "catch up." Has that occurred in your department?

BACA: I haven't talked to any police department or chief that states that he's got adequate resources or sufficient resources or personnel. We're no different. What we've tried to do is to manage our resourcs in the most effective and efficient way possible, because we know we don't have enough resources. We try to go with different programs, like the DARE program, the ROP program. I've got programs upon programs. The first year I was chief I initiated 20 new programs, which was entirely too much at one time. I've toned it down a little bit since, but I think we've been able to manage our resources by finding out what works best. Just because we put something in place doesn't mean it's going to last forever. If there's a better way of doing it, we do it.

LEN: When a city is growing like this, it has to contribute to more crime...

BACA: In the early 70's we were ranked number-one in the nation for two straight years. Since then we've vastly improved. We do have an enormous growth popula-



In Albuquerque, every officer is trained to look at a case from start to finish. Here, a convenience-store cash register is dusted for fingerprints.

Albuquerque P D photo

tion coming in, but the police department can't control crime. We have an impact, and I think we've had a major impact on it. It's the programs we've implemented as well as our relationship with the community. And like I said, we're very understaffed on personnel. Currently I have approximately 1,200 employees, and while the majority are sworn, that's not enough. I would say I need at least another 150 to 200 more officers to be adequately staffed to answer the calls for service in a timely manner.

LEN: Is there any reasonable hope of getting those extra officers?

BACA: Right now I've got several City Councilors behind me, and they're going to try to go with the quarter-cent sales tax to increase our personnel. It looks like it's going to go. We've had substantial growth in our revenues in the last few years. We're averaging between 9 and 12 percent increase. This year we had based our budget on a 9 percent increase, and for some reason this year we hit $5\,\%$ percent, which really threw us in a financial hind. This is one year where, even though we grew $5\,\%$ percent, we projected 9 percent, and so now we're learning how to cut back. We weren't used to that.

Priorities, priorities. . .

LEN: In the past, the implementation of 911 was hailed as a way to enhance police response, yet some now view it as a bit of a monster. Given the problems that may be attendant to 911 and your city's increasing population, how are you managing calls for service?

BACA: We also put together another model program [laughs] in patrol when I was the deputy chief there, and we put in what we called MPO - Managing Patrol Operations. This was developed by IACP and us, and basically there are certain dimensions on MPO. One of them is answering calls for service - stacking, priorities, etc. - and that's helped us tremendously. We have priority ones, twos and threes, and we stack calls. In most traditional police departments, as soon as the call comes in, if they have somebody available they send 'em immediately. We don't. If it's a Priority Three — the least priority - and we have only one officer in the sector that's left, instead of sending him, he stays available for service in case a Priority One comes in. We leave so many in each sector to answer Priority Ones, and the rest are going to have to wait until further officers clear and then we send 'em off to Priority Threes. In most cases you don't need an officer immediately for Priority

LEN: That sounds a lot like Differential Police Response...

BACA: I think that developed right after MPO. It's a modified version of ours.

LEN: Have you done anything in the way of analyzing repeat calls for service?

BACA: Oh yeah, particularly in domestic violence. We're very automated and, I think, very progressive in Albuquerque, I have a computer in each of our vehicles. We're under the CAD system [Computer Aided Dispatching], so when an officer responds to domestic violence, or another call, we can ring up all the information on that address: who lives there, how many calls we've had, how many arrests we've had, who we arrested. When the officers go there, they have a good idea how many times they've been there before. If they've been there three times in a month for domestic violence—and we encourage officers to make an arrest if there's probable cause that a crime existed, so we don't have to witness it. We do have a lot of repeat calls, and we feel that if we go there on repeat calls and make arrests, it's going to stop.

Mandatory arrest and liability

LEN: Police departments in recent years have focused much more attention on domestic violence, in some cases mandating arrest under certain conditions. At present, Albuquerque has a policy of allowing officer discretion in such cases. . .

Continued on Page 12

Baca: 'We fire officers for untruthfulness'

Continued from Page 11

BACA: I don't believe in mandatory arrest. I do believe in encouraging officers to arrest for probable cause — because of litigation.

LEN: There is a middle-of-the-road position known loosely as a "preferred policy of arrest." Is that more in line with your approach?

BACA: Oh yes. What we do is, obviously the computers in the cars tell us how many times we've been there, and our training and our procedure states that if you've been there so many times a month, we encourage you to make an arrest if probable cause exists. If it's a felony, we not only encourage it, we make it mandatory that an arrest is made. Let's say one spouse stabs another one, and we go to the scene and they say, "I don't want to file a complaint" or whatever, the one that did the stabbing still goes to jail. For misdemeanors, if an officer feels that there's probable cause that he can arrest somebody, he will. Or arrest both of them, if necessary. That definitely cuts down the amount of response time, but it does more than that. We've got to be responsive and responsible managers. We feel that by making arrests and handling the domestic violence properly and adequately, the number of calls will stop and the potential for someone getting killed or injured is decreased - and I'm talking about officers getting killed. Most people or officers or police chiefs will tell you you can't prevent homicides from occurring. I think this is one area in homicides you can prevent - domestic violence homicides that's a large percentage of almost any city's homicides.

LEN: There are those who would argue that mandatory arrest is the way to go if you're serious about preventing such homicides.

BACA: The only problem with mandatory arrest is the liability. If any time an officer has to go to an address somebody goes to jail, how does he know who started the fight? Maybe the husband hit the woman first, and the woman gets a club or a pan or a bat and really struck the guy in self-defense. Well, the officer gets there and he sees no marks on the woman, but the guy has a pretty good lump on the head and he says, "My wife hit me." So they take her to jail, but later on they find out that she was just trying to defend herself. Now you've got yourself a liability problem, and most likely, as in most domestic violence, they've made up, so now they're both testifying against you. So we leave it to the discretion of the officer. If he feels he can go to court and win it, we want him to go. We don't want him to make an arrest if he knows he can't win it in court. You've got to take these incidents one at a time. It's every department's nightmare; no officer likes to go to a domestic violence call. So what they try to do is ignore it and sweep it underneath therug, but it comes back to haunt you with major problems.

LEN: While you were a deputy chief, felony arresta were increased by 700 percent over a three-year period...

BACA: Yeah, by implementing the MPO. What we did is we went to the generalist approach, rather than the specialist. What I mean by specialist is that every officer is just a reporter; he just goes to the scene, takes a report and turns it over to the detectives. I worked detectives as a supervisor, and I know what happens. Unless the solvability factor is very high, we don't even look at that case. But now if we have every officer responsible, and we train them adequately to look at every case from start to finish — in other words, take the report, take statements, get court orders, put the case together and submit it to the D.A.'s office — it's very time-consuming but it serves the public, From about 800 to 900 felony cases submitted to the district attorney, we went up to several thousand by doing this.

LEN: How did the detectives take all this?

BACA: Well, we cut them down a little bit and we decentralized them a little. We put them in substations to assist officers — not take over the case. So the officer is not alone out there, but he's given the bulk of the responsibility. Every case is looked at, rather than when it goes to detectives and it's selectively investigated. This way leads are usually hot right when it happens and the of-

ficer can get those leads.

Drugs are the cancer

LEN: Given Alhuquerque's proximity to the Mexican horder, what kinds of problems does the city have regarding drugs?

BACA: Major. I think it's no different than any other city. Every great society throughout history usually deteriorates and falls from within, and in my opinion drugs are the cancer. Unless we recognize it and treat it, we're going to deteriorate and fall from within. This is the cancer, an epidemic. I had a task force looking at it right after I made chief, because it was a high priority. We came up with a three-pronged attack revolutionary, just basic. First, you've got to get at your major drug dealer on the street. The way we were addressing it, we just weren't. The reason was that we didn't have adequate personnel or resources. We had to spend \$150,000 to take down a mid-level drug dealer. So what we decided to do is to coordinate our efforts with the Feds, the county and the state and combine our resources. Now we go after the major drug dealers by do-

The second prong of attack - and probably the most important, although long-range - is education. How do you educate the child and the adult? By the time the child gets to middle school or high school, it's too late. You've got to get them in elementary school, so we put in the DARE program. We have nine officers who teach five days a week, in uniform, in every fifth-grade class in Albuquerque on the effects of drugs and how to say no. And we have to get to the adult, too. Cocaine used to be known as a rich man's drug, because if you could afford it, what's wrong with it? Well, first of all, they could start off affording it, but after a while they can't. It ruins jobs, careers and everything. That's how we addressed it. We started doing PSA's and education programs, and hopefully that will work. I think with the DARE program and other programs we've initiated, it's going to have an impact.

Then the third prong of the attack we decided to use is to get the street dealer off the street. The street dealer is

we found out you can't do it for alcohol. It's a drug, but it's a legal drug. So basically what we do there is we try rehabilitation.

Now, we not only fire for using drugs, but also for untruthfulness, which most departments find abhorrent when I tell them I fire officers for being untruthful. They say, "How do you get away with it?" I tell them that, first of all, the most important dimension an officer has is his integrity and credibility. If he lies to a supervisor, what makes you think he's not lying when he makes an arrest, or he takes somebody's life? If you have an officer who's been disciplined for untruthfulness, how can he even testify in court? They'll put him up on the stand and say, "Isn't it true that you've been disciplined for untruthfulness? How do we know you're not up here lying?" His credibility and integrity and are in question, so he can't be an officer, in my opinion. They've upheld me in just about every case.

LEN: I've never heard of such a policy. Is this common in policing?

BACA: Here it is [laughs]. When I was the deputy chief in the Field Services Bureau, I used that as my policy. When I made chief, I just spread it throughout the department.

LEN: You're currently in the middle of negotiating a new contract with the police union. How is that going?

BACA: Not too well at all. The city, like I said, had projected a 9 percent growth in revenues and they only went up 5½ percent, so this year there's not that much money and they're only offering 2½ percent.

LEN: What is your role as chief in these negotiations?

BACA: Well, I have to be somewhat supportive of management. At the same time I have my loyalty to what's best for the community and the department. I don't get involved in the negotiations. I've got to keep the morale up, keep the operations going, so the city has its own negotiators who work with the union.

'I'd love to have mandatory testing all the time. Officers taking drugs should be fired.'

responsible, along with the user, for 85 percent of our armed robberies and property crimes. So how do you get them off the street? We put the Repeat Offender Program together, and what we do is we concentrate. You've heard of the 80/20 concept — 80 percent of all the property crimes and armed robbery crimes are committed by less than 20 percent of all the crooks. So what you do is concentrate on that 20 percent of the crooks, and we do it through the ROP program. Having a very lean budget, I can only put nine detectives and \$50,000 from a grant into this, but in three months we arrested 240 people. I'd, like to think that's one reason why crime hasn't risen that high in Albuquerque.

On drugs? Off the job. . .

LEN: Is there any policy at this time concerning drug testing in the department?

BACA: I'd love to have mandatory testing all the time. I think that an officer who's taking drugs — any type of drugs — should be terminated, because he's dealing with public safety and with life-and-death situations. If a person is on drugs, it hampers his function and his decision-making. I have submitted a plan to the Mayor for approval, and there's hesitation because of the liability factor. But I would definitely like to have a mandatory drug testing, at least once a year, and obviously we'd have to look very closely at those individuals who come up positive. If we prove that they're under the influence of drugs or they're addicted to it or they've been taking it, then fire 'em.

LEN: Would the same hold true for alcohol?

BACA: Alcohol was deemed a disease by the Supreme Court, so basically we attempted to fire one officer for being an alcoholic and using very poor discretion, and

LEN: In view of sweeping changes you appear to have implemented since becoming chief, what kind of relationship do you have with local police unions?

BACA: I'm a disciplinarian. I really am. And it all depends on the union president. The first union president when I made chief, we had a horrible relationship. This is a man that was disciplined all the time, and most of them were done by me as a deputy chief. So we had an awful relationship and it reflected on my rapport with the union board, not so much the rank and file. But as soon as the leadership changed, we developed an excellent working relationship. Obviously they have to protect what they feel are the needs of their membership, and we've had that understanding, but I think we've had an excellent working relationship.

Free masters' degrees

LEN: You implemented a program of educational leave for graduate study. Could you describe it briefly?

BACA: Basically, I send three officers a semester to get their master's degrees. We pay for their salaries, their tuition, and they go full time to get their degrees. It's usually officers that we feel have potential and management capabilities. We have a selection board that consists of every rank. We like to look at those who have potential, who are going to stay in law enforcement. We don't want to send somebody out to get their degree in, say, physics, and then they leave us right after they get that degree. We try to send those who are going to make APD a career, and it may help us in our management area.

LEN: Are they allowed free rein to study anything they wish?

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RICO targets mob family

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Rastelli, the 69-year-old reputed boss of the family, and others in the family's top hierarchy, in addition to three officials from Local 814 of the International Brotherhood of Teamsters and its executive board and benefit funds.

Accompanying the 71-page complaint filed last month by the Government was a 41-page memorandum which asks for "equitable remedies aimed at restraining the Bonnano family from continuing its long and destructive offense upon the laws of this country and the safety of its citizens."

The remedies outlined by the memorandum include the appointment of a trustee to manage Local 814 which, the Government claims, is in the grip of the Bonnano family; the recovery of \$1 million in treble damages from a bid-rigging scheme involving three Federal contracts and made possible hy the Bonnano family's hold on Local 814; the forfeiture of three business properties in New York City allegedly used by the family for illegal gambling operations that grossed millions of dollars each year, and the divestiture of one New York City taxi-cab company and three New Jersey hotels.

While the businesses are described as "legitimate," they are said to have been purchased or operated with funds from the Bonnano family's illegal enterprises.

Rastelli, who became the boss after the 1979 rubout of Carmine Galante, is currently serving a 12-year sentence after being convicted last October on charges of racketeering in the moving and storage industry. Joseph Massino, the reputed underboss, is serving a 10-year sentence imposed in the same trial and is also a defendant in the civil suit. Also named in the civil suit is Anthony Spero, the family's consigliere. Spero is considered by many to be the acting boss, although the suit asserts that Rastelli still runs the family from the Federal prison in El Reno, Okla.

Teamaters Under the Gun

Although the suit marks the first time that the civil provisions of RICO have been applied to a single organized crime family, prosecutors also employed the civil aspect of RICO earlier this year when they succeeded in having New Jersey Local 560 of the Teamsters union put under the control of a Federal trustee.

Justice Department officials also confirmed in June that a similar lawsuit was being prepared which would put the executive board of the Teamsters under Government control.

According to Goldstock, it will be very difficult for the Bonnano family to fight the civil suit. In a criminal case, he said, the Government has to prove its case beyond a reasonable doubt. The defendants in such a case may choose not to testify and no adverse inferences may be drawn agianst

In a civil RICO action, however, prosecutors may bring all the members of the family into court to ask them questions under oath.

"It puts them in a very difficult position," Goldstock explained, "because either they answer the questions or the judge instructs the jury in the subsequent trial that an adverse inference can be drawn from their failure to answer. They could perjure themselves, but more likely they would refuse to answer on Fifth Amendment grounds."

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Only in Law Enforcement News

The care and feeding of a crime-watch program

Continued from Page 5

lished to upgrade the knowledge of watch leaders, and quarterly seminars were scheduled for them, "We invite the chairpeople and their block captains to the seminars," Officer Huntsman ex-plained. "We spend some time talking about what the crime trends have been the quarter so that they get a feel for what is happening in Boise overall. We also cover specific issues. For example, we just did a survey to determine what the watch leaders' interests are, and one of the things we found was that they wanted more information about bighting - both residential and street lighting. So we are going to have some experts come in to talk about the value of good lighting in crime prevention,

These maintenance efforts were tested and evaluated last year in 72 selected neighborhoods. This year the maintenance effort has been extended to include all 130 of Boise's existing neighborhood watches — the residue after the shakeout of inactive watches when the program began, "It's running very well," Huntsman said. "It's quite solid right now."

When the first neighborhood watches were formed in Boise five years ago, Huntsman noted, "I didn't look far enough into the future. Any organization that is setting up watch programs

should build in maintenance at the very beginning."

He suggested that as crime declines in a neighborhood, the crime watch should take on other projects to sustain interest. One idea is a community resource guide that lists agencies that can handle citizens' concerns about unlighted street lights, abandoned cars and similar neighborhood blights, Another is a conflict resolution program to help residents settle disputes without police intervention. Whatever the means, neighborhood watches need nurturing if they are to be successful in their prime purpose. Especially when they are suc-

Ordway P. Burden is president of the Law Enfarcement Assistance Faundatian and chairman of the National Law Enforcement Council. He welcames carrespondence to his office, 651 Colonial Blvd., Washingtan Tawnship, Westwood P.O., NJ 07675.

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Management for the 90's

Cantinued from Page 6

creates a certain amount of risk for the manager. We may sometimes call our workers together to work out a solution, but the solution they select may not be possible to implement for any number of reasons. Do we now overrule the decision of the group, or do we bite the bullet and hope for the best?

So if quasi-military leadership is out, and democratic or participative management is not realistic, what is left for the police manager who wants to engage his workers in a more challenging and productive job performance?

In order to answer that question one must first decide what is desired of today's police officer, police manager and the work environment. The following list, although not all-inclusive, is probably a good foundation.

¶ Campliance: We need to have quality workers who are in compliance with directives. The trick here is to have employees who are in compliance because they want to be, not because they have to be.

Accomplishment of Goals and Objectives: There can be no mistaking the fact that we work for other people, and that working within an organization carries with it a responsibility for the manager to work toward accomplishing organizational goals.

One of the problems this presents for managers is that in many instances our organization does not have clearly defined and articulated goals, and thus neither do we.

¶ Involvement and "Ownersbip": If we can involve our workers in those things that affect their work life, then we have a better chance of being successful in attaining goals. In other words, if I decide to clean up my car beat, I will probably dc a better job than if you were to tell me to do it.

¶ Communication: Wouldn't it be nice to have people in your outfit communicating with each other? Most of us will say that we have a lot of communications, that we are always sending memos, reporting or attending meetings. However, real exchange of information is done informally, when people are talking with one another rather than typing memos or reporting to each other.

¶ Ideas Flawing in Both Directions: Involvement and open communications result in the flow of ideas, both up and down the chain of command. This means not only that the suggestion box gets used for submitting suggestions, but that people do not hesitate to discuss an idea or introduce a concept that may be new. In other words, managers do not sit in

their offices believing that officers will never take part in this plan, nor do officers hold back their input, in the belief that the manager doesn't listen to them.

Showing and Generating Interest: Think of several of your best police officers. What is it that they have in common? Probably it is that they have a real interest in their job and actively demonstrate it. Now think of a good commander you may have worked for. What was it that made him or her "good"? Thinking about, you may realize that that commander demonstrated an interest in what you were doing. Sure, the person may have been gruff, or may have been nice, but still he or she took an interest in the job that subordinates were doing. This is not fault-finding. It is not back-patting. It is demonstrating a genuine interest in your workers and in the job they are doing.

If you accept the premise that it is those qualities you want in your work place (and you should want to add many more to the list), then we go back to the question: How do we get there if quasi-military management is outdated and participative management doesn't fit our frame of reality?

Just such a means will be explored in the next installment of this series.

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Police Superintendent. The Chicago Police Board has formally opened its search for candidates for the office of Superintendent of Police. The successful candidate will serve as chief executive of the nation's second-largest police agency, with a sworn strength of approximately 12,000.

Applicants should have executive experience in directing a large urban agency. Duties of the position will include planning, organizing, staffing, directing and controlling personnel, and planning and controlling a multimillion-dollar budget.

To apply, send complete resume to: The Police Board, 1121 South State Street, Room 603, Chicago, 1L 60605. Deadline for applications is Sept. 30.

Chief of Police. Bristol, R.I., a waterfront community of 22,000, is seeking an experienced executive to head a police department of 31 officers and 9 civilians, with a budget of \$1.3 million per year. It is desired that a thorough reorganization of the department follow the appointment of the new chief.

The position requires an individual with strong leadership and management skills. Demonstrated leadership and significant professional accomplishments in law enforcement are of paramount importance. A bachelor's degree from an accredited university is strongly preferred, and advanced training in management, or a master's degree in business administration, public administration or a related field is highly desirable. Applicants should have at least 10 years of experience in a law enforcement agency, with a minimum of five years at the comniand/management level.

To apply, send a copy of resume, including salary history, plus a one-page letter summarizing professional accomplishments and describing why you should be considered for this position, to: IACP Executive Search Service, P.O. Box 6010, 13 First-field Road, Gaithersburg, MD 20878. Deadline is Oct. 1.

Staff Attorney. The Police Executive Research Forum is seeking an attorney experienced in the use of asset forfeiture laws.

The position will involve research, writing and training activities as part of a nationwide technical assistance project to aid state and local law enforcement agencies. Experience in prosecuting narcotics, organized crime and/or white-collar crime cases is preferred, although not required.

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LEN interview: Chief Sam Baca

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BACA: Not really. It's got to be related to law enforcement, like sociology, psychology, even law. We go into public administration, business administration, and anything that's even vaguely related or can help us.

LEN: Do officers in the program have to "bring home a report card" to the department?

BACA: Oh yeah. He has to maintain a B average while he's going for his master's, and we also suggest to him what papers to write and what theses and so forth. And the officers can go to any university, by the way. However, we only pay for books and tuition; anything else is theirs. Now, for the undergraduate, to get a bachelor's degree, we'll pay for all their books and tuition, but we're not going to give them time off from work. They can do it on their own time. Plus we have college incentive pay. If they get their degrees, we pay them so much more a month.

LEN: Do you find, as some chiefs have, that encouraging higher education for officers already on the job is preferable to imposing stricter educational requirements at the entry level?

BACA: I know there's been a lot of study done, and I think that a more educated individual benefits a community and a department. It doesn't mean that because they're more educated they're going to be better police officers. I've known many police officers that don't have a degree that are outstanding police officers. But we're going to give them that opportunity to receive that education if they wish it.

LEN: In many departments, racial tensions are often manifested in the form of challenges to promotional exams. Has this been the case in Albuquerque?

BACA: All the time. We're now re-evaluating our promotional exam. I think it's extremely good, because every rank, with the exception of lieutenants, is very reflective of the community. The lieutenants are not, and I think one of the reasons is because when I did make chief some of the positions were appointed, so I did promote some minorities who were not selected in the past, which lowered the lieutenants' percentage but brought up the captains and deputy chiefs. It's going to take a while to get back in line with the lieutenants. But we don't put a person in there because he's a minority. We put the best qualified, and I think if you do it fairly and without bias, they'll come up. But you have to do it.

Rice retires as Chicago top cop after 4-year tenure

Continued from Page 1

for Nimocks, Petacque wrote, is an incident with former Alderman Clifford P. Kelley, who was investigated and cleared in the murder of a waitress while Nimocks was head of the homicide division.

Rodriguez, who runs the Bureau of Technical Services, is considered an expert on organized crime and terrorism and frequently lectures at universities on big-city crime problems.

Rice has said he will stay on until a successor is chosen and will help with the transition as much as he can. He said he intends to relax for a while after his retirement takes effect and does not plan to run for political office.

Rice is largely credited for keeping the department free from any major scandals during his four-year tenure. "He's the best superintendent this city's ever had, and he's going to be greatly missed," said David Fogel, chief administrator of the department's Office of Professional Standards.

Under Rice, the department recruited heavily and placed renewed emphasis on police training. He also oversaw a reorganization of the gang-crimes unit and instituted a police call-back program which allowed officers to

prepare property crime reports hy interviewing victims over the telephone.

Rice also established a more restrictive policy on the use of deadly force, which has resulted in a decrease in shootings by police officers.

Said Alton Miller, the Mayor's press secretary, Rice is "leaving the department far better than when he found it."

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- 2-4. Bicycle Law Enforcement. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla Fee: \$295.
- 24. Developing sn Effective Field Training Officer Program. Presented by the laternational Association of Chiefs of Police. To be held in Muscatine, Iowa. Fee: \$275.
- 2-4. Special Weapons & Tactics. Presented by the International Association of Chiefs of Police. To be held in Tucson.
- 2-4. Managing the Property & Evidence Function. Presented by the International Association of Chiefs of Police. To be held in Nashville. Tenn.
- 24. The Reid Technique of Interviewing & Intervogation. Presented by John E. Reid & Associates. To be held in Los Angeles. Fee: \$450.
- 2-6. Analytical Investigation Methods. Presented by Anacapa Sciences Inc. To be held in Oklahoma City, Okla, Fee: \$445.
- 2-6. Investigation of Sex Crimes. Presented by the Southern Police Institute. To be held in Las Vegas. Fee: \$300.
- 2.6. Law Enforcement Photography Workshop. Presented by Eastman Kodak Company. To be held in Rochester, N.Y.
- 26. Advanced Firearms Instructor Training. Presented by the Pan Am Institute of Public Service. To be held in Gainesville, Ga. Fee: \$415.
- 2-6. Police Budgeting. Presented by the Institute of Police Technology & Management. Fee: \$350.
- 2-6. Analytical Investigation Methods. Presented by Anacapa Sciences Inc. To be held in Richmond, Va. Fee: \$445.
- 2-6. Traffic Accident Reconstruction 11. Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$450.

- 2-6. Law Enforcement Fitness Instructor Certification. Presented by the Traffic Institute. Fee: \$400.
- 2.6. Profiling & the Serial Murderer, Presented by the Institute of Police Technology & Management, Fee: \$375.
- 2-6. Report Writing for Instructors. Presented by Bruce T. Olson, Ph.D. To be held in Huntington Beach, Calif. Fee: \$277
- 2-13. Armed Forces Traffic Management & Accident Prevention, Presented by the Traffic Institute, Fee: \$550.
- 4. Executive Institute for Suburban Police Chiefs. Presented by the Traffic Institute. Fee: \$350.
- 4.5. Intelligence Analysis for Investigators. Presented by the Criminal Justice Center, John Jay College of Criminal Justice. To be held in New York
- 45. Managing Field Training Officer Programs. Presented by the Traffic Institute.
- 45. Child Abuse Investigations. Presented by the Center for Criminal Justice, Case Western Reserve University Fee: \$100
- 46. Juvenile Law. Presented by the Institute of Criminal Justice Studies, Southwest Texas State University. To be held in Killeen. Tex. Fee: \$200
- 46. Assessor Training. Presented by the International Association of Chiefs of Police. To be held in Atlanta.
- 5-6. Effective Communication with the Press & Medis in Accident/Disaster Situstions. Presented by the University of Delaware, Division of Continuing Education, To be held in Wilmington, Del. Fee: \$395.
- 5-9. Meeting of the Commission on Accreditation for Law Enforcement Agencies Inc. To be held in Rochester, N Y
- 6. Satanic Influences on Crime, Presented by the Center for Criminal Justice, Case Western Reserve University, Fee: \$60.
- 8-14. Providing Protective Services. Presented by Richard W. Kobetz & Associates Ltd. To be held in Winchester, Va. Fee: \$2,300.
- 9-10. Interviewing the Sexually Assaulted or Abused Child. Presented by the University of Oelaware, Oivision of Continuing Education Fee: 300

- 9-10. Interviewing Victims & Witnesses. Presented by the University of Delaware, Division of Continuing Education. Fee: \$325.
- 9-12. Clandentine Laboratory Inventigution. Presented by the Institute of Police Technology & Management Fee: \$395
- 9-12. Telecommunications Security Training. Presented by the American Society for Industrial Security To be held in Tampa, Fla. Fee: \$475 (ASIS members): \$625 (nonmembers)
- 9:13. Automated Crime Analysis. Presented by the Institute of Police Technology & Management Fee: \$475
- 9-13. Disaster Management. Presented by the Center for Criminal Justice, Case Western Reserve University Fee; \$350
- 9-13. Photography in Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. Fee: \$395.
- 9-13. Analytical Investigation Methods. Presented by Anacapa Sciences Inc. To ocheld in Rockville. Md. Fee: \$445.
- 9-13. Police Motorcycle Rider Course. Presented by the Institute of Police Technology & Management Fee: \$575.
- 9-13. Law Enforcement Photography Workshop, Presented by Eastman Kodak Company, To be held in San Bernardino, Calif.
- 9-13. Police Traffic Commander Seminar. Presented by the Institute of Police Technology & Management. Fee: \$350
- 9-20. Crime Prevention Technology & Programming. Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$580.
- 9-20. Advanced Traffic Accident lavestigation. Presented by the Institute of Police Technology & Management Fee \$475.
- 9.20. Executive Protective Services. Presented by Pan Am Institute of Public Service, Fee: \$1,200.
- 9-20. Police Motorcycle Instructor Course Presented by the Institute of Police Technology & Management, Fee: \$1,000.
- 11-13. Second Annual Training Symposium. Sponsored by the North American Association of Wardens & Superintendents. To be held in Lexington, Ky. Fee \$25.

- 12-13. Drug & Narcotle Investigation. Presented by the University of Delaware, Division of Continuing Education Fee: \$300
- 13-15. Workshop for Recently Appointed Chiefs: Part II. Presented by the International Association of Chiefs of Police, To be held in Las Vegas
- 15-17. Street Survival fl. Presented by Calibre Press To be held in Houston Fee: \$110 (all three days); \$75 (first two days only); \$50 (third day only).
- 15-17. The Kinesic Technique of Interview & Interrogntion Presented by the International Association for Hospital Security To be held in Las Vegas Fee, \$275
- 16-18. Executive & Digottary Protection.
 Presented by the International Association
 of Chiefs of Police. To be held in
 Washington, D.C.
- 16-18. Commander's Course on Hostage Incidents. Presented by the Traffic Institute. Fee: \$350
- 16-18 The Reid Technique of Interviewing & Interrogntion, Presented by John E. Reid & Associutes Inc. To be held in Deurhorn, Mich. Fee: \$450
- 16-18. Public Safety Rudio Disputchers' Seminar. Presented by the University of Delaware, Division of Continuing Education Fee, \$275.
- 16-18. Telecommunication Operations & Management. Presented by the International Association of Chiefs of Police, To be held in Phoenix, Ariz.
- 16-18. The Reid Technique of Interviewing & Interrogation, Presented by John E. Heid & Associates Inc. To be held in Pittsburgh, Pa. Fee. \$450
- 16-18. Street Drugs, Claudestine Lahs & Narcotic Investigations Presented by the Criminal Justice Center, John Jay College of Criminal Justice, Fee: \$175
- 16-18. Critical Incident Management Presented by the Florida Institute for Law Enforcement Fee; \$150
- 16-18. Videu Uses in Law Enforcment Presented by the International Association of Chiefs of Police To he held in San Diego
- 16-18. Police Interview & Interrogation. Presented by the University of Delaware, Division of Continuing Education Fee-
- 16-20. Supervision of Police Personnel. Presented by the Southern Police Institute To be held in Louisville, Ky-Fee: \$300.
- 16-20. Basic Fingerprinting Presented by the Center for Criminal Justice, Case Western Reserve University Fee: \$200
- 16-20. Flannelal Manipulation Analysis. Presented by Anacapa Sciences Inc. To be held in Anaheim, Calif. Fee: \$445
- 16-20. Accident Inventigation Photography. Presented by the Traffic Institute. Fee: \$400.
- 16-20. 13tb Anaud North American Victim Assistance Conference, Presented by the National Organization for Victim Assistance, To be held in Charleston, S.C. Fee: \$140 (NOVA member), \$170 (non-
- 17:20. Training the Trainer Presented by the New England Institute of Law Enforcement Management To be held in Wellesley, Mass.
- 17:20. The Kinesic Technique of Interview & Interrogation. Presented by the Criminal Justice Center Police Academy. Sam Houston State University To be held in Huntsville, Tex Fee: \$325.
- 22.24. Street Survival II. Presented by Calibre Press. To be held in Baltimore. Fee: \$110 jall three days); \$75 (first two days only); \$50 (third dny only).
- 23-24. Supervision of Undercover Investigations & Operations. Presented by the University of Delaware, Division of Continuing Education, Fee: \$325.
- 23-24. Application of Physical Security Systems, Presented by the University of Delaware, Division of Continuing Education. Fee: \$385
- 30 Dec. 1. Sex Crimes Inventigation Presented by the Institute of Police Technology & Management. Fee: \$375.
- 30-Dec. 1. Police Executive Development. Presented by the Institute of Police

Technology & Management, Fee: \$350

- 30-Dec. 1. Advanced Patrol Tactics. Presented by Bruce Siddle and PPCT Management Systems. To be held in Muscatine, Iows. Fee: \$70 (prepaid, PPCT instructors); \$95 ist door; \$25 (spouses). All ASLET or IPOTA members receive \$10 discount.
- 30-Dec. 1. Seminar for the Field Training Officer, Presented by the Institute of Police Technology & Management Fee: \$350.
- 30-Dec. 1. Microcomputer Workshop for Police Applications. Presented by the Institute of Police Technology & Management Fee: \$475.
- 30-Dec. 4 Analytical Investigation Methods, Presented by Anacapa Sciences Inc. To be held in Tallahassee, Fla. Fee: \$445
- 30 Dec. 4 Conducting Covert Operations. Presented by the Psn Am Institute of Public Service, To be held in Gainesvile, Ga. Fee: \$385.
- 30 Dec. 4. Analytical Investigation Methods. Presented by Anscaps Sciences Inc To be held in Santa Burbara, Calif. Fee:
- 30-Dec. 11 Crime Prevention Technology & Programming Presented by the National Crime Prevention Institute Fee, \$580.
- 30 Dec. 18 Command Training Program. Presented by the New England Institute of Law Enforcement Management

DECEMBER

- 1-2. Use of Force: In Defense of Officers & Agencies. Presented by Criminal Justice Consulting Services. To be held in Kansas City. Mo. Fee. \$250.
- 1.3. Street Survival II. Presented by Calibre Press To be held in Seattle. Fee-\$110 (all three days), \$75 (first two days only); \$50 (third day only)
- 1-4. Seminar for the Police Training Officer Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fia. Fec. \$350
- 1-4 Advanced (Computer-Aided) Intelligence Analysis, Presented by Anacapa Sciences Inc. To be held in Santa Barbara, Calif. Fee. \$676
- 1-4 Police Internal Affairs. Presented by the Institute of Police Technology & Management, Fee: \$350
- 2. Executive Institute for Suburban Palice Chiefn. Presented by the Traffic Institute Tube held in Evanston, Ill. Fee \$350.
- 24 Investigating the Use of Deadly Force by Police. Presented by the International Association of Chiefs of Police. To be held in Daytona Beach, Fla.
- 2-4. Law Enforcement Shotgue Course. Presented by the Pan Am Institute of Public Service. To be held in Gainesville, Ga. Fee: \$295.
- 2-4. The Reld Technique of Interviewing & Intervogation. Presented by John E. Reid & Ansociates To be held in Nashville, Tenn. Fce: \$450.
- 2.4 Dealing with Problem Employcea. Presented by the Florida Institute for Law Enforcement, To be held in St. Petersburg. Fee: \$150.
- 2-4 Terrorism. Preparing for the Threat. Presented by the International Association of Chiefs of Police. To be held in Phoenix.
- 3-4. Tactical Responses to Crimes in Progress. Presented by the University of Delaware, Division of Continuing Education. To be held in Wilmington. Fee: \$325.
- 7-8. Threat Analysis. Presented by the University of Delaware, Division of Continuing Education. Fee: \$375.
- 7-8 Physical Security Technology. Presented by the American Society for Industrial Security To be held in San Diego. Fee: \$305 (ASIS members): \$395 (non-members).
- 7-8. Basic Crime Stoppers. Presented by the Institute of Criminal Justice Studies. Southwest Texas State University. To be held in Austin. Fee: \$125.
- 7.8. Credit Card Fraud. Presented by the University of Delaware, Division of Continuing Education. Fee: \$300.

For further information. . .

American Society for Industrial Security, 1655 North Fort Myer Drive, Suite 1200, Arlington, VA 22209. (703) 522-5800.

Anacapa Sciencea Inc., 901 Olive Street, P.O. Drawer Q, Santa Barbara, CA 93102-0519 (805) 966-6167.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062.

1-800-323-0037.

Center for Criminal Justice, Case Western Reserve University, Cleveland, OH 44106. (216) 368-3308.

Combined Law Enforcement Associations of Texas, 401 Louisiana St., Suite 540, Houston, TX 77002. (713)

Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019. (212) 247-1600

Criminal Justice Center Palice Academy, Sam Houston State University, Box 2296, Huntsville, TX 77341.

Criminal Justice Consulting Services, 7938 Southeast Highway 40. Tecumseh, KS 66542. (913) 379-5130.

Eastman Kodak Co., Kodak Marketing Education Center, 343 State Street, Rochenter, NY 14650, 716) 724-0316.

Executecb Corporation, Advanced Training Programs Oivision, 7510 Tyler Blvd., Mentor, OH 44060-5404. (216) 942-7350.

Florida Institute for Law Enforcement, St. Petersburg Junior College, P.O. Box 13489, St. Petersburg, FL 33733.

Institute of Criminal Justice Studies, Southwest Texas State University, Canyon Holl, San Marcos, TX 78666-4610. (512) 245-3031.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216

International Association for Hospital Security, P.O. Box 637, Lombard, IL 60148, 13121 953-6990.

International Association of Chiefs of Police, 13 Firstfield Rosd, Gaithersburg, MD 20878. (301) 948-0922; (800) 638-4085.

National Crime Prevention Institute.

University of Louisville, Louisville, KY

of Justice Administration

40292.

Nutional Organization for Victim Assistance, Attn. Jonann Wild, Conference Coordinator, 717 O Street N.W., Washington, DC 20004, 1202)

New England Institute of Law Enforcement Munngement. Babson College, Drawer E, Babson Park, MA 02157.

Bruce T. Olson, Pb.D., 1015 12th Street, Suite 6, Modesto, CA 95354-0811, (209) 527-2287. Pan Am Institute of Public Service, 601

Broad Street, S.E., Gainesville, GA 30501 1-800-235-4723 (out of state); 1-800-633-6681 (in Georgia).

Police Executive Development In-

stitute (POLEX), The Pennsylvania State University, S159 lluman Development Building, University Park, PA 16802. (8141863-0262.

PPCT Management Systems, P.O. Box 175, Waterloo, IL 62298. (618) 939-7575 or 939-7600.

John E. Reid & Associates, 250 South Wacker Drive, Suite 1100, Chicago, IL 60606. (312) 878-1600. Richard W. Kobetz and Ansociates, North Mountain Pines Training Center.

Arcadis Manor, Route Two, Box 100, Berryville, VA 22611. (703) 955-1128 (24-hour desk). Ross Engineering Inc., 7906 Hope Valley Court, Adamstown, MD 21710

(301) 831-8400.

Southern Michigan Law Enforcement Training Center, Attn: David Locke. Training Coordinator, 2111 Emmona Ruad, Jackson, MI 49201, (517) 787-0800, ext. 326.

Southern Police Institute, Attn: Ms. Shirley Beek, University of Louisville, Louisville, KY 40292. (502) 588-6561.

Southwestern Law Enforcement Institute, P.O. Rox 707, Richardson, TX 75080. (214) 690-2370.

Trnffic Institute, 555 Clark Street, P.O. Rox 1409, Evanston, IL 60204

University of Delaware, Division of Continuing Education, Attn: Jacob Haber, 2800 Pennsylvania Avenue, Wilmington, DE 19806. (302) 573-4440.

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Law Enforcement News

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Also in this issue:

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egal loophole: An apparent mistake in openly carrying weapons on Oct. 1 legal draftsmanship may have Floridians

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Failure-avoidance: A police captain to give new life to old managers offers a new management approach

Forum: Is the National Rifle Association look? A gun-control activist says yes taking on a new survivalist-oriented

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